

INJUSTICE



Suggested Launch Activity TEACHER'S NOTES

About Launch Activities

This optional introductory activity is designed to support you in the classroom. However, the primary narratives and photos in the section that follows can be used with or without this introduction.

CENTRAL QUESTION

Can good intentions result in a bad consequence?

There are times when we want to help someone solve a problem. We might be guided by the best of intentions, but things sometimes do not go as planned or lead to unintended consequences.

ACTIVITY

- Ask the students to respond to the following journal prompt, *Was there ever a time in your life when you had good intentions to solve a problem but things did not turn out as planned?*
- After giving them some time to reflect and write, ask students to volunteer to share their experience. Follow up with:
 - › Were your intentions good or self-serving?
 - › Did you not have enough information to offer advice?
 - › Were you intervening in a problem you were ill-equipped to solve?
 - › Were you too arrogant in thinking you could have solved the problem?
 - › Should you have just have not gotten involved?
 - › Why did bad consequences result from your intervention despite your good intention?
- Explain that many important leaders in politics, the military, business, or local communities have made decisions that had good intentions but bad consequences. Ask, *How can I avoid this situation in the future with a greater sense of the virtue of humility?*

INJUSTICE

Roger Taney and Injustice



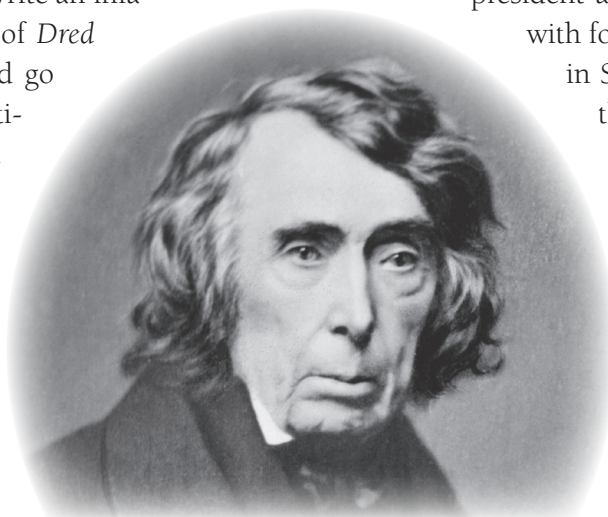
In the 1850s, the United States was deeply divided over the issue of slavery and its expansion into the West. The northern and southern sections of the country had been arguing over the expansion of slavery into the western territories for decades. The Missouri Compromise of 1820 divided the Louisiana Territory at 36°30' with new states north of the line free and south of the line slave. The issue simmered until the debate erupted again over territory acquired in the Mexican War of 1846. In 1850, Senator Henry Clay of Kentucky engineered the Compromise of 1850 to attempt to settle the issue, but only delayed the dispute. In 1854, the Kansas-Nebraska Act allowed settlers to decide whether the new states would be slave or free. As a result, pro and anti-slavery forces rushed to Kansas in order to vote on the issue, violence erupted between the two, and several people on both sides were murdered in what was called “Bleeding Kansas.” Meanwhile, southern talk of secession was in the air, and observers warned of an impending civil war. The United States faced this combustible situation when Chief Justice Roger B. Taney sat down in late February, 1857, to write an infamous opinion in the case of *Dred Scott v. Sandford* that would go down as a travesty of constitutional interpretation and one of the greatest injustices laid down by the Supreme Court.

Taney was a lawyer and state legislator in the slave state of Maryland who disapproved of slavery earlier in his

life. He had been a slave holder who privately manumitted, or voluntarily freed, his slaves and even provided financial support for the elderly slaves. In the state legislature, he supported efforts to protect free blacks against illegal capture and being forced into slavery. He even defended the right of free speech for Jacob Gruber, an abolitionist preacher who attacked slavery. In his summation to the jury in Gruber’s 1819 trial for “inciting slaves to rebellion,” Taney called slavery “a blot on our national character” and thought that “every real lover of freedom confidently hopes that it will...be gradually wiped away.” Taney hoped that with an appeal to the “language of the Declaration of Independence, every friend of humanity will seek to lighten the galling chain of slavery.” He seemed to hold relatively enlightened views about slavery and race, and acted in the name of justice.

In the 1830s, Taney joined the Democratic Party and was appointed Attorney General under President Andrew Jackson. He became an advocate of states’ rights and reversed his earlier stance on the rights of slaves. Attorney General Taney offered the

president an opinion on a case dealing with forcing free blacks into slavery in South Carolina. He defended the right of states to enforce their own laws and asserted in an 1832 opinion that, “The African race in the United States even when free are every where a degraded class, and exercise no political influence.” He went on, “They were not looked upon



as citizens by the contracting parties who formed the Constitution,” and were “not supposed to be included by the term *citizens*.” It was an ominous declaration when Taney replaced the deceased John Marshall as Chief Justice of the Supreme Court in March, 1836. Over the next decade, the furor over slavery dominated national politics, though Taney scrupulously avoided public comment as the impartial Chief Justice.

Dred Scott was a slave who had been owned by different masters in the slave states of Virginia and Missouri. One of his owners, Dr. John Emerson, was an Army surgeon who was stationed at a fort in the free state of Illinois for three years and brought Scott with him. Emerson then moved to the free Wisconsin Territory, and again Scott accompanied him and even married another slave. When Emerson moved back to Missouri with his slaves and soon died, Scott sued Emerson’s widow for his freedom, based on his having lived in Illinois and Wisconsin, where slavery was prohibited. Further, Missouri’s long-standing judicial rule was “once free, always free.” Many former slaves who had returned to Missouri after living in a free state or territory had successfully sued in Missouri courts to establish their freedom. The case made its way through the Missouri and federal courts, and finally reached the Supreme Court.

Taney and the other justices heard oral arguments from the attorneys in February, 1856. The justices met in chambers and haggled over the case for months. They asked for re-argument the following December, which conveniently meant they would render a decision after the contentious 1856 presidential election. In the meantime, Taney privately expressed his political opinion that, “The South is doomed, and that nothing but a firm united action, nearly unanimous in every state can check Northern insult and Northern aggression.” He in effect supported a Union in which one race was kept in an inferior position and critics of slavery were effectively silenced. Thus, when the attorneys reargued their case in the Supreme Court chambers

in the basement of the U.S. Capitol, Taney listened with these thoughts in mind.

The justices met in mid-February, 1857 to consider the case. They nearly agreed to issue a narrow legal opinion that addressed the status of a slave in a free state. However, this strategy unraveled. In a fateful move, they selected the Chief Justice to write a more expansive opinion. Taney looked at the slavery debates that wracked the country and feared that they would destroy the Union. He developed the mistaken, and somewhat arrogant, notion that the Supreme Court could settle the political issue once and for all to avert possible civil war. His political objectives outweighed his ideas about justice and natural rights, or an impartial view of the historical facts.

On the morning of March 6, Taney read the shocking opinion to the Court for nearly two hours. Taney, speaking for seven members of the Court, declared that all African-Americans—slave or free—were not U.S. citizens at the time of the Founding and could not become citizens. He asserted that the Founders thought that blacks were an inferior class of humans and “had no rights which the white man was bound to respect,” and no right to sue in federal court. This was not only a misreading of the history of the American Founding, but a gross act of injustice toward African Americans. Taney could have stopped there, but he believed this decision could end the sectional conflict over the expansion of slavery. He declared that the Missouri Compromise was unconstitutional, that Congress had no power to regulate slavery in the territories, and that slavery could become legal throughout the nation. Finally, Taney pronounced that Dred Scott, despite the years he spent in the free state and territory that allowed other slaves to claim their freedom, was still a slave.

The *Dred Scott* decision was not unanimous; Justices Benjamin Curtis and John McLean wrote dissenting opinions. Curtis’s painstakingly detailed research in U.S. history demonstrated that Taney

was wrong on several points. First, Curtis wrote that, contrary to Taney's assertion regarding citizenship, free African-Americans had been citizens and even voters in several states at the time of the Founding. According to Curtis, since there was no citizenship clause in the U.S. Constitution, once a state conferred citizenship, federal citizenship was automatic. Further, Curtis pointed out that by settled practice Congress did indeed have power to legislate regarding slavery. Curtis explained more than a dozen instances in which Congress had legislated with respect to slavery before the 1820 Missouri Compromise.

The *Dred Scott* decision was supposed to calm sectional tensions in the United States, but it worsened them as northerners expressed great outrage, and southerners doubled down on the Court's decision that African Americans had no rights and Congress could not regulate slavery's expansion. Indeed, the Court's decision greatly exacerbated tensions and contributed directly to events leading to the Civil War. Leaving the debate over slavery to the people and their representatives might have averted or delayed the Civil War and settled the issue differently. After all, the people's representatives had been debating and compromising on the issues that divided north and

south ever since the Philadelphia Convention of 1787. Most historians agree, though, that once the *Dred Scott* decision mandated that Congress had no power to legislate regarding the expansion of slavery in the territories, thus opening the entire nation including the free states to that possibility, there were no more political options available. As President Lincoln wrote in 1860, "The tug has to come & better now than later."

Taney's view of American republican government was that only one race enjoyed natural rights and self-government. Abraham Lincoln continually attacked the decision in his speeches and debates. He took a different approach than Taney. Lincoln stood for a Union of natural rights for all humans and did not believe that the country could survive indefinitely "half slave, half free." He argued that the Declaration of Independence "set up a standard maxim for free society" of self-governing individuals. If the Court's majority gained the final say on political decisions, Lincoln thought "the people will have ceased to be their own rulers." Justice Curtis wrote that slavery itself is "contrary to natural right." Chief Justice Taney's reasoning in the *Dred Scott* decision sought to justify laws protecting slavery, but the injustice of those laws was evident to his contemporaries.



Defining Civic Virtues: Injustice

To harm others by applying unequal rules and damaging another's inalienable rights and dignity.

Discussion Guide



Directions: Discuss the following questions with your partner(s).

1. Why was the United States in a combustible situation in 1857?
2. What was Roger Taney's position regarding slavery and the rights of blacks, and how did his position change over time in the years prior to his appointment to the Supreme Court? Why do you think his position regarding the slavery controversy changed so much from justice to injustice?
3. Once he was appointed to the Supreme Court, where did Taney's sympathies lie? Did he act for justice or some other purpose?
4. Based on the information available in the narrative, what arguments would you have made for Dred Scott's freedom if you had been his attorney? What arguments would you have made against his freedom if you had been the attorney for the opposing side?
5. What was Taney's hope regarding the Supreme Court's decision in the *Dred Scott* case?
6. What were the most important elements of the *Dred Scott* majority opinion written by Chief Justice Taney? Did they support the ideal of justice? Did Taney's opinion promote a healthy constitutional republic and civil virtue?
7. Chief Justice Taney hoped that his opinion in Dred Scott's case would be the solution to the nation's slavery controversies. Why was this not the case?
8. How was President Lincoln's approach to the slavery controversy different from that of Taney? How did Lincoln support the natural rights ideals of a constitutional republic and support the ideal of civic virtue?
9. How did Justice Benjamin Curtis's dissent contradict Chief Justice Taney's reasoning?



EXCERPTS FROM MAJORITY AND DISSENTING OPINIONS



Analyzing Primary Source Documents

DRED SCOTT V. SANFORD (1857) MAJORITY OPINION (CHIEF JUSTICE TANEY)

“The question before us is whether the class of persons described in the plea in abatement compose a portion of this people, and are constituent members of this sovereignty? We think they are not, and that they are not included, and were not intended to be included, under the word “citizens” in the Constitution, and can therefore claim none of the rights and privileges which that instrument provides for and secures to citizens of the United States. On the contrary, they were at that time considered as a subordinate and inferior class of beings who had been subjugated by the dominant race, and, whether emancipated or not, yet remained subject to their authority, and had no rights or privileges but such as those who held the power and the Government might choose to grant them....

The language of the Declaration of Independence is equally conclusive: It begins by declaring that, “[w]hen in the course of human events it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth the separate and equal station to which the laws of nature and nature’s God entitle them, a decent respect for the opinions of mankind requires that they should declare the causes which impel them to the separation.”

It then proceeds to say: “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 them is [sic] life, liberty, and the pursuit of happiness; that to secure

these rights, Governments are instituted, deriving their just powers from the consent of the governed.”

The general words above quoted would seem to embrace the whole human family, and if they were used in a similar instrument at this day would be so understood. But it is too clear for dispute that the enslaved African race were not intended to be included, and formed no part of the people who framed and adopted this declaration, for if the language, as understood in that day, would embrace them, the conduct of the distinguished men who framed the Declaration of Independence would have been utterly and flagrantly inconsistent with the principles they asserted, and instead of the sympathy of mankind to which they so confidently appealed, they would have deserved and received universal rebuke and reprobation....

Upon these considerations, it is the opinion of the court that the act of Congress which prohibited a citizen from holding and owning property of this kind in the territory of the United States north of the line therein mentioned is not warranted by the Constitution, and is therefore void, and that neither Dred Scott himself nor any of his family were made free by being carried into this territory, even if they had been carried there by the owner with the intention of becoming a permanent resident....

Upon the whole, therefore, it is the judgment of this court that it appears by the record before us that the plaintiff in error is not a citizen of Missouri in the sense in which that word is used in the Constitution.”

DRED SCOTT V. SANFORD (1857) DISSENTING OPINION (JUSTICE BENJAMIN CURTIS)

One mode of approaching this question is, to inquire who were citizens of the United States at the time of the adoption of the Constitution...

At the time of the ratification of the Articles of Confederation, all free native-born inhabitants of the States of New Hampshire, Massachusetts, New York, New Jersey, and North Carolina, though descended from African slaves, were not only citizens of those States, but such of them as had the other necessary qualifications possessed the franchise of electors [the right to vote], on equal terms with other citizens...

I dissent, therefore, from that part of the opinion of the majority of the court, in which it is held that a person of African descent cannot be a citizen of the United States; and I regret I must go further, and dissent both from what I deem their assumption of authority to examine the constitutionality of the act of Congress commonly called the Missouri compromise act, and the grounds and conclusions announced in their opinion...

[T]he Constitution has not failed to make an express provision for [the authority of Congress to legislate for the territories] and ... it is found in the third section of the fourth article of the Constitution. [*The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.*]

It will not be questioned that, when the Constitution of the United States was framed and adopted, the allowance and the prohibition of negro slavery were recognised subjects of municipal legislation; every State had in some measure acted thereon; and the only [federal] legislative act concerning the territory -- the ordinance of 1787, which had then so recently been passed -- contained a prohibition of slavery. The purpose and object of the clause being to enable Congress to provide a body of municipal law for the government of the settlers, the allowance or the

prohibition of slavery comes within the known and recognised scope of that purpose and object...

If it can be shown, by anything in the Constitution itself, that when it confers on Congress the power to make all needful rules and regulations respecting the territory belonging to the United States, the exclusion or the allowance of slavery was excepted; or if anything in the history of this provision tends to show that such an exception was intended by those who framed and adopted the Constitution to be introduced into it, I hold it to be my duty carefully to consider, and to allow just weight to such considerations in interpreting the positive text of the Constitution. But where the Constitution has said all needful rules and regulations, I must find something more than theoretical reasoning to induce me to say it did not mean all...

Slavery, being contrary to natural right, is created only by municipal law. This is not only plain in itself, and agreed by all writers on the subject, but is inferable from the Constitution, and has been explicitly declared by this court. The Constitution refers to slaves as "*persons held to service in one State, under the laws thereof.*" ...

It was certainly understood by the Convention which framed the Constitution, and has been so understood ever since, that, under the power to regulate commerce, Congress could prohibit the importation of slaves; and the exercise of the power was restrained till 1808. A citizen of the United States owns slaves in Cuba, and brings them to the United States, where they are set free by the legislation of Congress. Does this legislation deprive him of his property without due process of law? If so, what becomes of the laws prohibiting the slave trade? If not, how can a similar regulation respecting a Territory violate the fifth amendment of the Constitution? ...

For these reasons, I am of opinion that so much of the several acts of Congress as prohibited slavery and involuntary servitude within that part of the Territory of Wisconsin ... were constitutional and valid laws.

Discussion Guide



Directions: Discuss the following questions with your partner(s).

1. How does the majority opinion of the Supreme Court commit a great injustice against African Americans?
2. How does the dissent support constitutional principles and liberties for African Americans and counter the arguments made by the majority decision?

Sources & Further Reading

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Virtue Across the Curriculum

***Avengers: Age of Ultron* (2015), directed by Joss Whedon**

In *Avengers: Age of Ultron*, two of the characters, Bruce Banner (The Hulk) and Tony Stark (Iron Man), attempt to use artificial intelligence to create a perfect robotic planetary system of defense. They don't inform any of the other superheroes in the Avengers team not to mention any national leaders. Their arrogance has a great price when their powerful fleet of robots controlled by an evil Ultron program causes destruction around the globe. In the final scene, Ultron lifts the fictional city of Sokovia to an immense height above the earth to threaten human extinction.

BRUCE BANNER:

"So you're going for artificial intelligence and you don't want to tell the team."

TONY STARK:

"Right. That's right, you know why, because we don't have time for a city hall debate. I don't want to hear the 'man was not meant to meddle' medley. I see a suit of armor around the world."

BRUCE BANNER:

"Sounds like a cold world, Tony."

TONY STARK:

"I've seen colder. This one, this very vulnerable blue one? It needs Ultron. Peace in our time. Imagine that."

Injustice

NAME: _____

DATE: _____

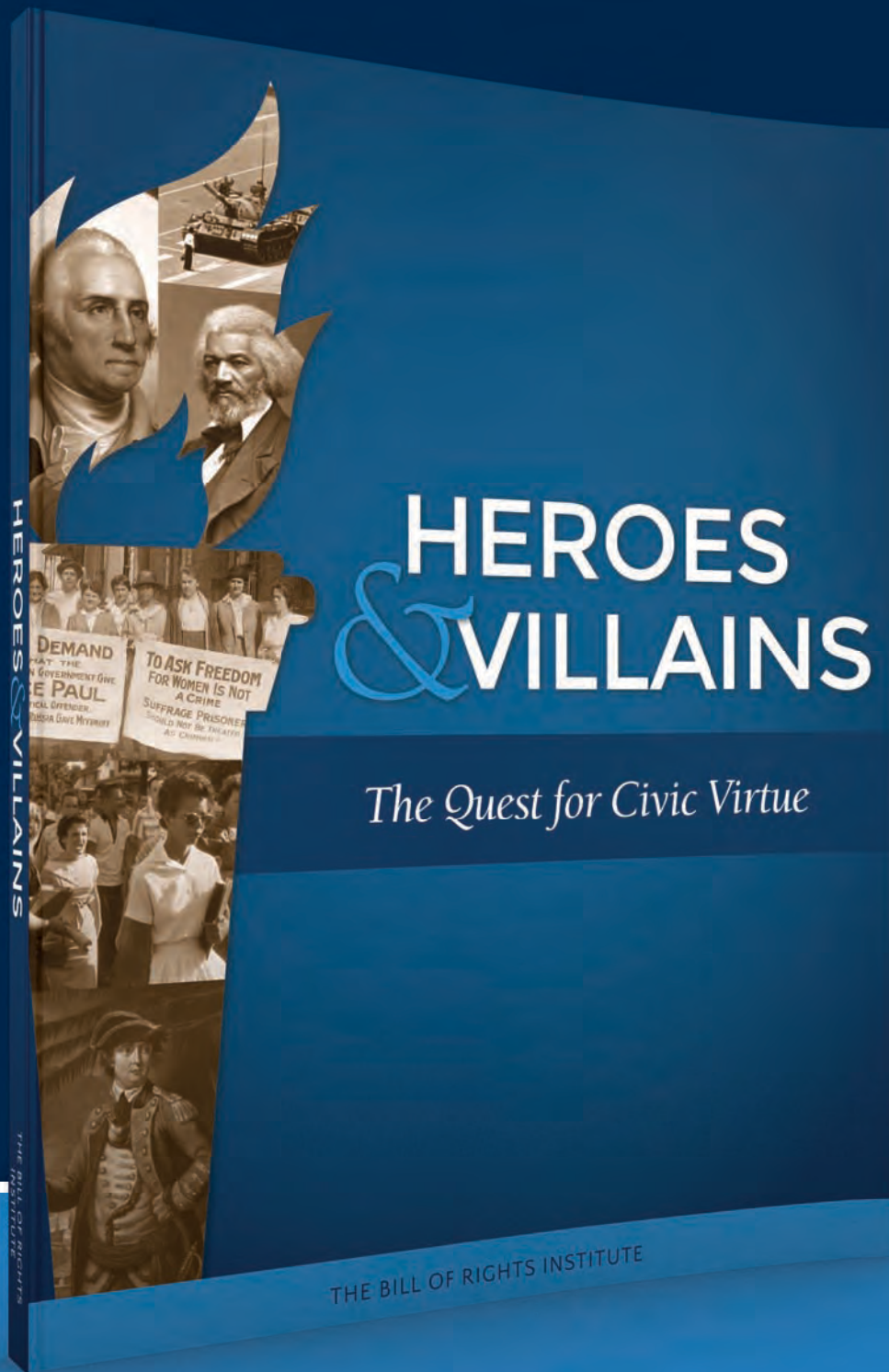


Directions On Question #4 of the Discussion Guide you outlined arguments that might have been made by the attorneys in Dred Scott's case. Having read excerpts from the majority and a dissent, in what ways, if at all, would you modify or enhance your previous attorney arguments? What do you think were the most persuasive arguments in each of the opinion excerpts?

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

“All, too, will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will to be rightful must be reasonable; that the minority possess their equal rights, which equal law must protect, and to violate would be oppression.”

–THOMAS JEFFERSON, “FIRST INAUGURAL ADDRESS,” 1801



A CHARACTER EDUCATION IMPLEMENTATION GUIDE



Equip teachers for character education that lets them do what they do best, in the context of subjects they already teach.

CHARACTER EDUCATION SIMPLIFIED

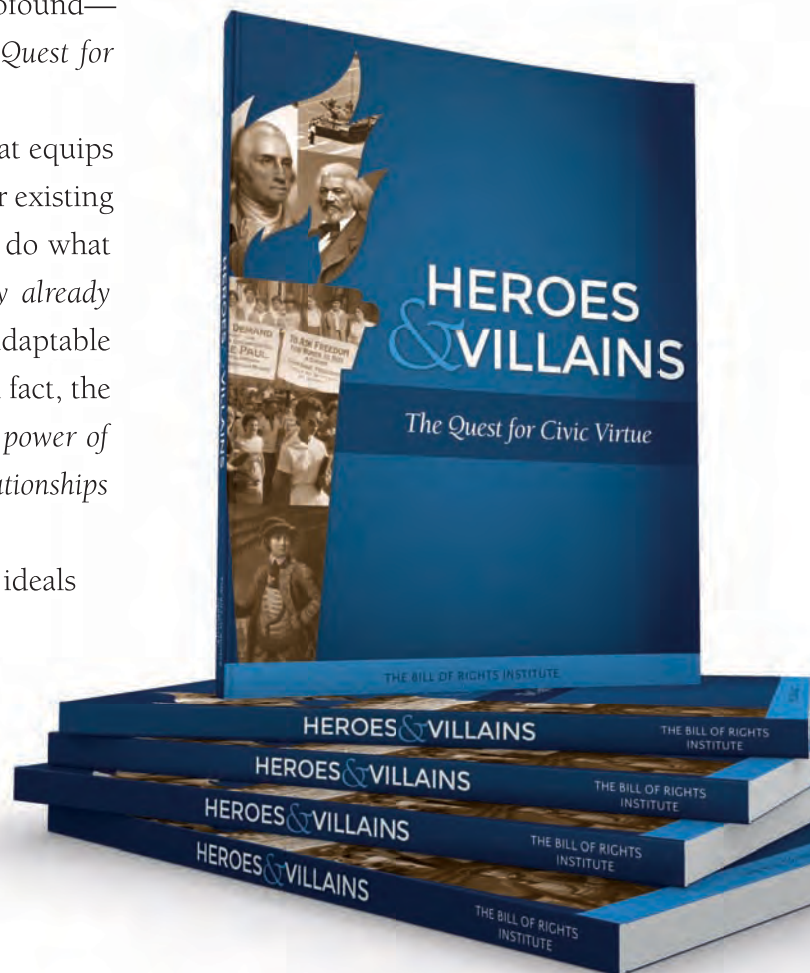
Introducing Our New Resource



What are the deepest, truest aims of character education? Think about the character education you already do at your school—whether formal or informal. What are you really trying to accomplish? Though we value our students' character formation, it can seem a daunting task. So many expectations are laid at our doorstep. So many demands pull at our time. How do school leaders ensure that, amidst competing demands, our highest aims aren't pushed aside? Could it be less complicated? Yes, it can. Satisfying character education can be profound—and as uncomplicated as *Heroes & Villains: The Quest for Civic Virtue*.

Heroes & Villains is a curricular supplement that equips teachers to integrate character education into their existing curriculum, then gets out of the way to let them do what they do best ... *in the context of the subjects they already teach*. Teaching civic virtue can be robust, yet adaptable enough to tailor to your teachers and students. In fact, the more flexible it is, the more you can *harness the power of the strongest element your school already has: the relationships among faculty, students, and staff*.

At the Bill of Rights Institute, the ideas and ideals of the Constitution are at the heart of our work. This is why we developed a resource to reinvigorate the teaching of civic virtue based on primary sources, grounded in critical thinking, and focused on history. Better yet, because we know the constraints teachers face daily, we designed it to be easily



tailored to your existing curriculum, to your own school, and to the students who walk its hallways.

Character education is often viewed as an “add-on program” that distracts from “real teaching”. But it should be a rich teaching experience, not a demand—and certainly not a costly, off-the-shelf “add-on”. Even more, it can be a seamlessly integrated part of curriculum and instruction. The key? Simplicity. *Heroes & Villains* is neither costly nor an add-on. Instead, it is *a straightforward and adaptable curricular supplement*. Based on the content history and English teachers are already teaching, it provides a clear framework for extending that very content into the realm of character and civic virtue.

We respect that you and your faculty—not any one program or book—bring the most vital elements to the character-education table: *knowledge of your own school, its faculty, and its students*. This guide is for faculty who supervise curriculum and character education. With a small investment of time up-front, you can determine how your colleagues and students can get the most out of *Heroes & Villains*. The “Working Notes” section will get you started as you tailor this surprisingly simple resource to your own school.

Look at the *Heroes & Villains* overview and see how you can bring the virtues of Aristotle and the Founders to your students. Start with the “Working Notes” on page 11.

If you don’t already have a copy of *Heroes & Villains*, contact us at info@billofrightsinstitute.org. We’ll get it into your hands so you can get started.

WE BELIEVE
*that increased
understanding of
virtue will lead to
more individuals
acting virtuously in
school, and these
changes will pay
dividends in improved
school climate.*

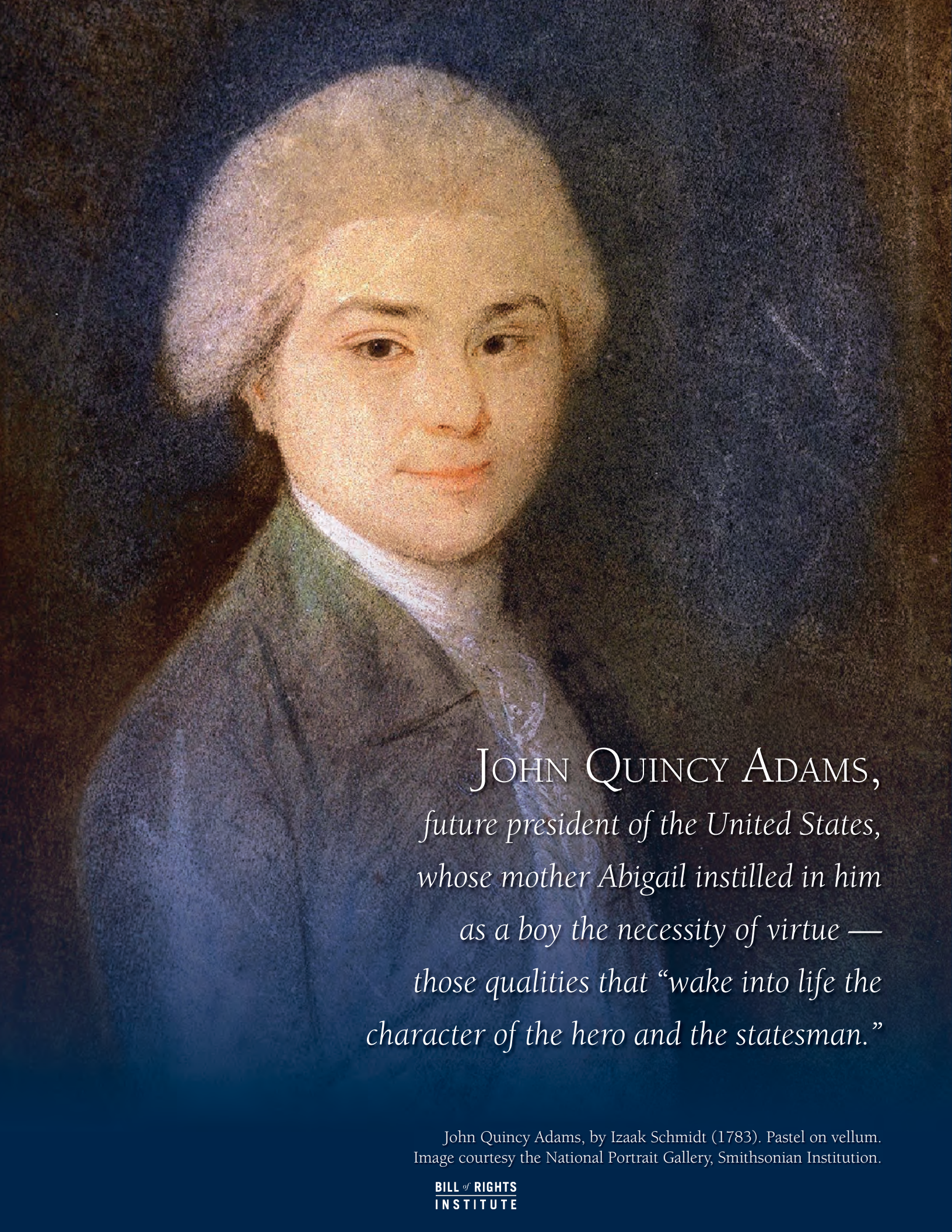
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JOHN QUINCY ADAMS,
*future president of the United States,
whose mother Abigail instilled in him
as a boy the necessity of virtue —
those qualities that “wake into life the
character of the hero and the statesman.”*

John Quincy Adams, by Izaak Schmidt (1783). Pastel on vellum.
Image courtesy the National Portrait Gallery, Smithsonian Institution.

HEROES & VILLAINS

Program Overview



At an age when most children today are beginning their high school education, young John Quincy Adams was practicing French along with statesmanship skills on a diplomatic trip to Europe with his father. He had not wanted to go. His mother Abigail wrote him a wonderful letter expressing her hope that he would not regret the journey. She wrote:

“Great necessities call out great virtues. When a mind is raised and animated by scenes that engage the heart, then those qualities, which would otherwise lie dormant, wake into life and form the character of the hero and the statesman.”

Mrs. Adams knew that her son held those qualities in his heart and closed her letter with this stirring admonition:

“The strict and inviolable regard you have ever paid to truth, gives me pleasing hopes that you will not swerve from her dictates, but add justice, fortitude, and every manly virtue which can adorn a good citizen, do honor to your country, and render your parents supremely happy.”

Indeed, to the Founding generation, virtue was inseparable from freedom; self-government depended on a virtuous people. Abigail Adams’ son, as an adult, said, “Public virtue cannot exist in a nation without private [virtue], and public virtue is the only foundation of republics.”

But what happens to a republic when virtue withers? In a nation founded on principles such as



IMBUING
*civic virtue into every
aspect of school life
will lead to deeper
understanding, and that
greater understanding will
lead to an improved school
climate and culture.*

individual liberty and consent of the governed, civic and character education must be central to all that we teach. Indeed, to teach civic virtue is to help preserve our republic.

In his Second Inaugural Address, President Barack Obama alluded to the need for citizens to live virtuously every day:

“What makes us exceptional, what makes us America, is our allegiance to an idea articulated in a declaration made more than two centuries ago: ‘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, and among these are life, liberty, and the pursuit of happiness...’ History tells us that while these truths may be self-evident, they’ve never been self-executing. That while freedom is a gift from God, it must be secured by his people here on earth. ...You and I, as citizens, have the obligation to shape the debates of our time, not only with the votes we cast, but the voices we lift in defense of our most ancient values and enduring ideas.”



Ancient Values, Enduring Ideas, Daily Difference

Those “most ancient values” include commitments to justice, perseverance, initiative, and other virtues of citizenship that allow a free people to govern themselves. These are among the citizen virtues that the Founders believed were necessary for self-government.

The goals of the narratives, discussion guides, lists of resources, and journal prompts in this program include an increased understanding of civic virtue on the part of both students and teachers. We invite you to engage students with the resources not only in U.S. History, but also in World History and English classes, as well as the wider school community through department meetings, faculty meetings, lunch-and-learns, assemblies, or other creative options that could work best for your school. We believe that imbuing civic virtue into every aspect of school life will lead to deeper understanding, and that greater understanding will lead to an improved school climate and culture.

We can address challenges common to the school environment with a richer and more complete understanding of civic virtue. For example, does bullying occur because a student is seeking “respect”? Does cheating or plagiarism take place because students lack understanding of—or experience with—perseverance? A deeper and historically-grounded understanding of virtue can be arrived at through discussion in which *all* take part. When all in the school, students and adults, discuss the deepest and historically-grounded understandings about civic virtue, both the whole school and the community benefit.



*The lessons were
valuable because
they made the
students reevaluate
their own ethics.
Although many
of our students
are “good” people,
these lessons help
reinforce the virtues
and standards that
we would like our
students to embrace
and display as
citizens.*

—FIELD-TESTING
TEACHER

WHY STORYTELLING?



*“If history were taught in the form of stories,
it would never be forgotten.”*

—RUDYARD KIPLING

The same is true of virtue. People of all ages are naturally drawn to stories. While Mrs. Adams wrote to her son about “scenes that engage the heart,” her son was living those scenes in two countries in revolution, the fate of the new nation at stake. Her lesson—that trying times are tests of virtue—endures when young peoples’ minds are raised by studying historical examples. Within the selection of visual and historical narratives in this program are examples of civic virtue to be identified, discussed, analyzed, and evaluated. In the stories of villains from history are opportunities to analyze the actions of individuals who perhaps strove for virtue, but failed.

The materials in this resource were selected to engage the heart as well as the mind. Through

discussion of all the narratives, students will implicitly judge: Why do we admire heroes? On the other hand, why do we harshly judge individuals like Benedict Arnold? The virtues (and lack thereof!) highlighted in these stories—along with self-reflection, discussion, and journaling—encourage teachers and students to make these virtues a habit.

Educators don’t simply reach students in their schools and classrooms; their influence extends beyond into times and places unpredictable and unknown, and may shape the lives of generations. As Abigail wrote to her son in 1780, we hope these materials on civic virtue will help you “transmit this inheritance to ages yet unborn.”

*These lessons serve a vital purpose and prompt interesting conversations
that connect past events to current events and to students themselves.*

—FIELD-TESTING TEACHER
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*The lesson—that trying times are tests of virtue—endures
when young people study historical examples.*



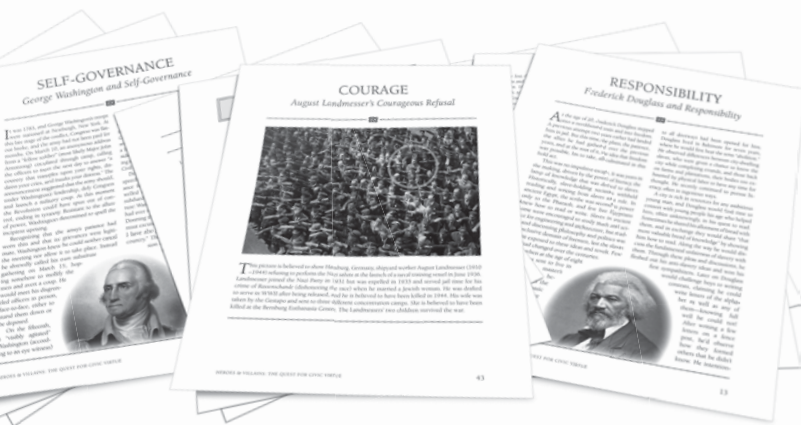
HEROES & VILLAINS

Materials Overview



This civic education resource stays away from shallow topics, instead inviting teachers and students to dive straightforwardly into robust, history-based topics. Through rich narratives, critical questions, meaningful discussion, and personal application, teachers and students will examine the “civic virtue” assumptions of our nation’s Founders and their relevance today.

- Ten narratives, photo-narratives, or primary sources convey stories of individuals who faced crises of civic virtue—including Benedict Arnold, Frederick Douglass, Elizabeth Eckford, and more.
- Journaling exercises engage individual students’ hearts and minds.
- “Virtue in Action” supplements provide ideas for demonstrating civic virtue in schools and communities.
- Cross-curricular connections make it easy for faculty and staff to work together toward the same character goals within the context of their own classrooms.
- Suggestions for further reading from literary and historical primary sources.



These exercises, based on historical events, are definitely more effective in getting students to examine their own commitment to these virtues.

Working Notes and Ideas for Implementing **HEROES & VILLAINS**



Laying the Groundwork with Your Faculty

- As you introduce *Heroes & Villains* to faculty and staff for the first time, ask them to recall their favorite stories from childhood or early adulthood.
- Transition to a discussion about successful storytelling in the classroom. Chances are teachers are already comfortable with a storytelling approach. (e.g., history narratives, Supreme Court cases, stories of science discoveries, or lab reports done as story structure).
- Maintain an atmosphere that allows faculty to feel confident discussing virtue with students. Assure them that when discussing with students, they can emphasize that civic virtue may include, but does not require, religious belief.
- In keeping with the above, affirm for teachers that they can encourage students who do have a faith tradition to relate their thinking about virtue to it. Allow those who wish to do so to reflect on examples from their own faiths. (For example, individuals from sacred texts who acted virtuously, religious teachings, etc.)
- Acknowledge that all schools and all curricula do teach values or virtue, whether implicitly or explicitly. You are merely providing a language that enables free and open discussion.
- Request that teachers review the materials and hold “listening sessions” for them to come to you with any questions about their use of *Heroes & Villains*.
- Encourage teachers to share information with families, and invite parents to come to class for discussions.

Civic Virtues Based on the Thinking of the Founders



First things first. Let's define our terms. In *Heroes & Villains*, virtue is defined as:

Conduct that reflects universal principles of moral and ethical excellence essential to leading a worthwhile life and to effective self-government. For many leading Founders, attributes of character such as justice, responsibility, perseverance, etc., were thought to flow from an understanding of the rights and obligations of men. Virtue is compatible with, but does not require, religious belief.

Next, what virtues do we include and how do we define them? Based on writings of the U.S. founders, we could have chosen a number of civic virtues that were important to their understanding of the running of a constitutional republic. Of that number, *Heroes & Villains* addresses the following:

Contribution: The discovering of your passions and talents, and the use of them to create what is beautiful and needed.

Working hard to take care of yourself and those who depend on you.

Courage: Standing firm in being a person of character and doing what is right, especially when it is unpopular or puts you at risk.

Humility: To remember that your ignorance is far greater than your knowledge. To give praise to those who earn it.

Integrity: To tell the truth, expose untruths, and keep your promises.

Justice: To stand for equally applied rules and to make sure everyone obeys them.

Perseverance: To stay the course, choosing not the easy path, but rather the right one.

Respect: To protect your mind and body as precious aspects of your identity. To extend that protection to every other person you encounter.

Responsibility: To strive to know and do what is best, not what is most popular. To be trustworthy for making decisions in the best long-term interests of the people and tasks of which one is in charge.

Self-Governance: To be self-controlled, avoiding extremes, and to not be influenced or controlled by others.

THE QUESTION

How can we make character education seamless and integral to our school's culture?



Get outside the “character curriculum box.” Instead, stop to think about the following three aspects of your school: **Leadership**, **Understanding**, and **Informing Instruction**. As you do, you’ll naturally discover ways to weave the themes of *Heroes & Villains* into the processes and culture that already exist among your faculty, students, and staff.

As you, with your faculty, plan to integrate *Heroes & Villains* into your school’s teaching and culture, these three areas will provide you with the clearest path to implementation.



WORKING NOTES:

Our Current School Climate and Culture

Before using *Heroes & Villains* at your school, describe the current school culture, character strengths, and areas for growth. Use the following prompts to help you do just that.

Our School's Best Cultural Attributes Are...

-
-
-
-
-

Our School Culture Could Be Improved by a Focus On...

-
-
-
-
-

Our Ideal School Culture Would Be...

Let's start with... Leadership

Below, and on the following pages, are some leadership-related items to consider as you integrate *Heroes & Villains* into the curriculum and civic education at your school.

Faculty Ownership

- Among your faculty, who are the key influencers whose leadership can help make this happen?
- How will we incorporate staff feedback to tailor this to our school?
- How might that feedback inform your use of *Heroes & Villains*?

Integration with Existing Character-Education Efforts

- What existing character efforts, formal or informal (if any), does your school employ?
- How can *Heroes & Villains* content bolster those efforts? What tensions may exist?

Role Modeling

- How do your faculty and administrators already exemplify these virtues for the school community?
- How might this role-modeling look in different areas of school life (rehearsal rooms, athletic fields, classrooms, hallways, cafeteria, etc.)?



“People who work together will win, whether it be against complex football defenses, or the problems of modern society.”

–VINCE LOMBARDI

Athletics & Extracurriculars

- How might coaches, resource teachers, directors, and other extracurricular and facility staff extend these ideas beyond the classroom?

Parents & Community Involvement

- How involved should parents be in this process? What opportunities exist to extend these ideas beyond the classroom?
- How might you involve the larger community (outside speakers, authority figures such as law enforcement, older students mentoring younger students, etc.)? What about volunteer opportunities?

On what other leadership areas may you want to focus as you implement *Heroes & Villains*?

Next, look at... **Understanding**

Use the prompts below to plan how you will ensure that everyone in the school community shares the same understandings as you use *Heroes & Villains*.

Staff Education and Professional Development

- How will these civic virtues be understood and reinforced among your school's faculty?
- Who will be primarily responsible for this effort?
- What opportunities will the faculty have to discuss these ideas with each other on an ongoing basis?

Teaching the Content

- How will social studies and/or English teachers address this content?
- How many teachers in each department will cover this content?
- Will the content be taught all at once, periodically, or throughout the year?
- What cross-curricular efforts would be helpful? What, for example, could this look like in a math or science classroom?
- Will we evaluate students in some way? If so, how?
- How will these virtues be reinforced year-round...
 - ❑ in social studies or English classrooms?
 - ❑ in other classes?
 - ❑ in school assemblies, communications, or daily announcements?

Peer Discussions and Mentoring: Students

- Identify students whose leadership could move others in the direction of these goals.
- What opportunities will older students have to mentor younger students?
- In what contexts can you envision getting students to discuss these ideas?
 - ▣ In class...
 - ▣ Outside of class...
- How might student clubs, student government, or other school groups reinforce these goals in your school?

On what other areas of student and faculty understanding may you want to focus as you implement *Heroes & Villains*?

-
-
-
-

“Nobody ever listens to a teenager. Everybody thinks you should be happy just because you're young. They don't see the wars that we fight every single day.”

—FROM FREEDOM WRITERS

Thinking about...

Informing Instruction and Implementation

Below, and on the following pages, are feedback-related items to consider as you and your faculty implement *Heroes & Villains*.

Your School: *Start with Your Strengths*

- Look back at what you noted on your “School Climate and Culture” chart on page 11. Which civic virtue does your student body currently reflect most fully? Which virtue is currently weak? (*Full list on page 9.*)
- Consider the civic virtue that is strongest at your school. How can you reinforce it? How can you harness it to improve in the weakest area?

Policies & Language

- Given the language and format of *Heroes & Villains*, how might your feedback to students (both positive and constructive) be revised?
- How might classroom and school policies be revised to reflect these civic virtues?

Faculty Feedback

- What could positive accountability look like in relation to these virtues? Are there ways to incorporate these concepts into existing feedback systems?
- Identify some informal ways colleagues can hold each other accountable for role-modeling these civic virtues.

Home-School Communication

- How can discussions about conduct be used to reinforce these civic virtues with students and their parents?
- How can written communication to parents incorporate the language of civic virtue?

What additional feedback-related ideas do you have as you integrate *Heroes & Villains* into your school curriculum and culture?

-
-
-
-

“The life I touch for good or ill will touch another life, and that in turn another, until who knows where the trembling stops or in what far place my touch will be felt.”

—FREDERICK BUECHNER

Integrating Heroes & Villains Throughout the School and Across the Curriculum

Each narrative includes a “Virtue in Action” section with concrete suggestions for making civic virtue both active and a habit. In addition to these examples, you may consider some of the following suggestions.



In the Social Studies Classroom

- Complete the activities for one narrative per month during the school year.
- Acknowledge that “heroes” are not demigods but human and, therefore, imperfect.
- Encourage teaching of history as “philosophy teaching by example.” Have students work as detectives to find virtues in history. For example, individuals who acted courageously in pursuit of justice; great historical moments involving what Aristotle called righteous indignation: American Revolution; Abolition; Women’s Suffrage; Civil Rights Era; etc.



In the English/Language Arts Classroom

- Students could write short historical fiction stories based on the lives of the individuals in the narratives.
- Select companion stories or poetry for a literature class that reflect the same virtue being studied in the historical narrative. (See *Further Reading* and *Virtue Across the Curriculum* resources included after each of the book’s narratives.)
- Acknowledge the complexity of life and literature — even “good” characters may do bad things.

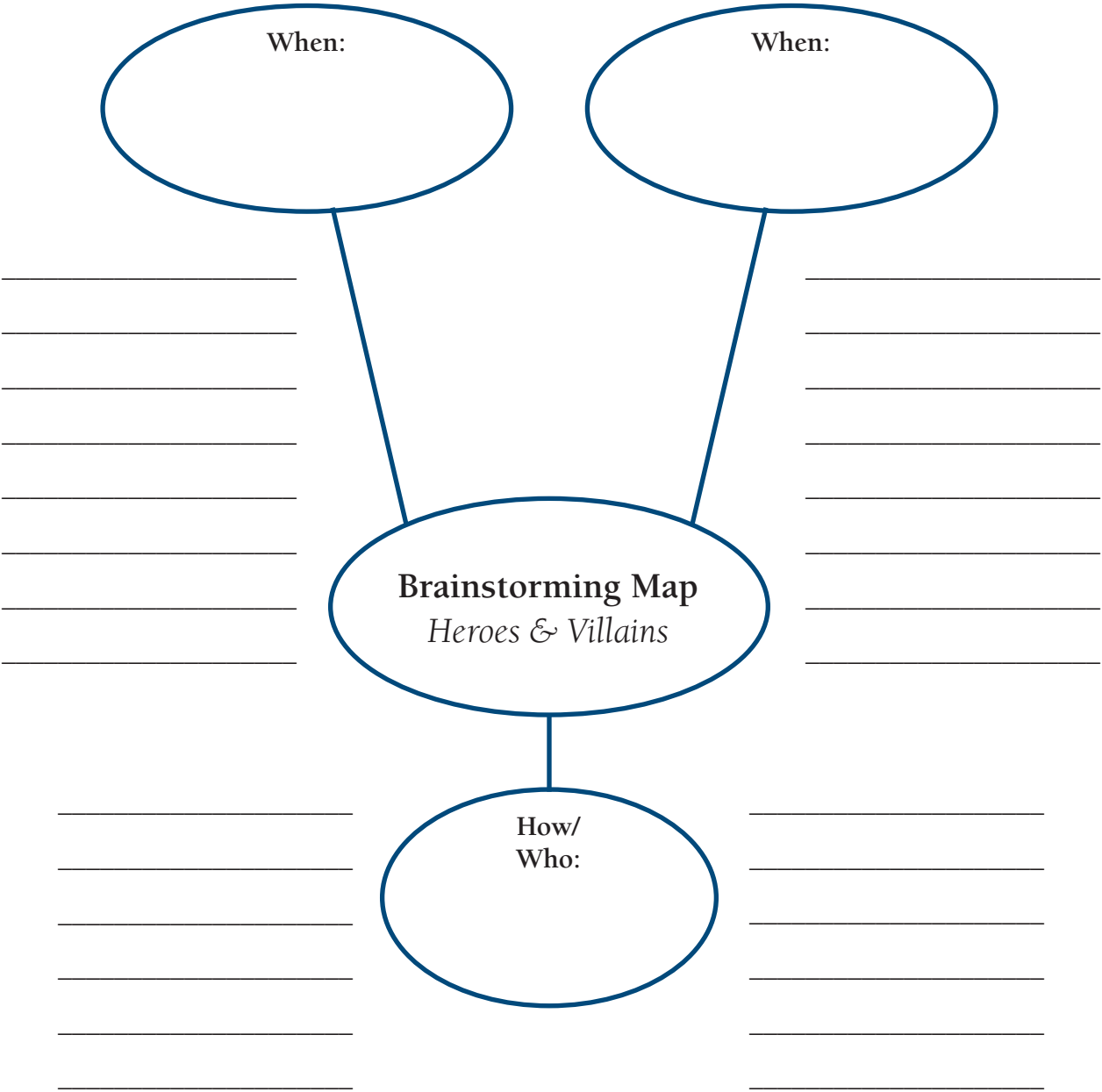


In Classrooms, in Rehearsal Rooms, on Athletic Fields, and Beyond

- When affirming students who achieve excellent results, emphasize character traits such as **perseverance** and **responsibility** rather than innate intellect or talent.
- George Washington, Abraham Lincoln, and other great leaders saw themselves as role models; within the school community, we are all role models. The question is not *whether* we will be role models, but *which virtues we will model*.
- If students wish to reflect on **examples of virtue** from sacred texts, encourage those contributions to the discussion.
- Encourage awareness of **humility, contribution, and justice** on the playing field.
- Distinguish between aggressor and defender in bullying cases. Praise the **courage** of those who defend the weak.
- Include references to these character traits, and use specific language, when communicating with parents—including report card narratives, and in parent meetings.

BRAINSTORMING SPACE

Use the map below either to brainstorm your ideas, or to begin to organize the “Who/What/How” for the ideas that you may already have brainstormed with your faculty.



ORGANIZING YOUR THOUGHTS

Planning for the School Year

What will the implementation of *Heroes & Villains* look like across the school year?

Use this space to plan.

| Time Period | Administrators | Teachers | Students |
|-------------|----------------|----------|----------|
| September | | | |
| October | | | |
| November | | | |
| December | | | |
| January | | | |
| February | | | |
| March | | | |
| April | | | |
| May | | | |
| June | | | |

NEXT STEPS—FIRST STEPS

What are the very next steps you want to take as you begin integrating
Heroes & Villains into your school's curriculum and instruction?

| What? | Why? | Who? | When? |
|-------|------|------|-------|
| | | | |
| | | | |
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| | | | |

ADDITIONAL NOTES

ADDITIONAL NOTES



In December of 1784, when he sought recommendations for a tutor for Martha Washington's two grandchildren at Mount Vernon, George Washington wrote a letter to George Chapman, former headmaster of the grammar school in Dumfries, Scotland. In the letter, Washington wrote,

“My sentiments are perfectly in unison with yours sir, that the best means of forming a manly, virtuous and happy people, will be found in the right education of youth.”

Whatever your next steps may be, they are significant. You have the affirmation of George Washington himself.

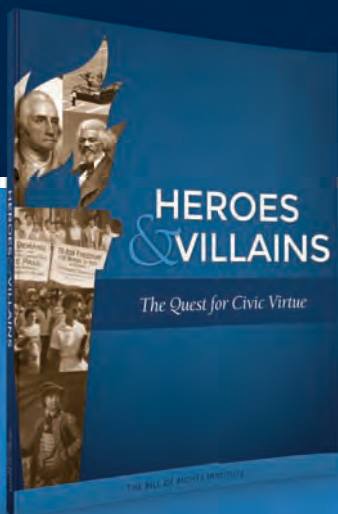
PRAISE FROM TEACHERS FOR *HEROES & VILLAINS*



“Giving the students a role model of the virtue is a great way to teach civic virtue. The stories do a great job of giving the students characteristics to emulate.”

“I find myself drawn to, and using, more and more primary sources. The students enjoy deciphering pictures, especially, and then discussing their context and importance.”

“The cross-curricular approach was great! I was able to do the historical aspect and discussion, and the English teacher worked with them on writing their essay ... It was a great lesson for everyone.”



Heroes & Villains: The Quest for Civic Virtue is a program of the Bill of Rights Institute. For more information or to order, visit

www.BillofRightsInstitute.org

Defining Civic Virtue



Launching Heroes & Villains with your Students

As you begin to integrate Heroes & Villains into your instruction, you may find it helpful to have a place to consider how it relates to topics you already teach. On page xiii is a curricular planning guide so that you and your colleagues can do just that—and determine where and how you can naturally *weave character themes into the curricula you are already teaching*.

As you initiate student discussions involving civic virtue, you will naturally be checking students' current understanding and defining the terms that will be a part of readings and classroom discussions. The readings and activities on the following pages will be an indispensable starting point as you do this.

Heroes & Villains Launch Activity:

1. On the pages that follow are the student handouts *What is Virtue?—Historical and Philosophical Context* and *What is Virtue?—Defining the Term*. Before distributing those readings, have students respond in writing to the Defining Virtue questions on the following page. Do not discuss them before students have completed the reading. Explain to students that after they have read this, they will be expected to be able to elaborate further on their written responses. Have students read the handout, then discuss it as a class, referring to the questions included in the text.
2. After the reading, distribute the *Clarifying Civic Virtue* handout to the students. Have students write complete responses to the questions. Use that second set of questions as the basis for a discussion about the reading and to check students' understanding of the content as well as their engagement with the ideas.
3. Separate students into groups of 2 or 3 to discuss questions on the handout, particularly the final questions about whether they changed their responses, and why. Transition to a whole-class discussion of these final questions, ensuring that students refer to the text of both handouts to support and explain their responses.
4. The *Identifying and Defining Civic Virtue* handout includes a list of the civic virtues addressed in this book, along with a definition for each. Post or project that list—without the definitions—on the board. Elicit from students what each one means, asking them to offer examples from their personal lives. Encourage examples from within their families, school, and community. Explain that these are among the virtues that the U.S. Founders believed were essential to the form of government they were creating. Break students into their former groups of 2 or 3 and have them read the definitions. Then, assign to each group one or two of the listed virtues and have them write down examples of each, including context and further explanation. Examples could come from U.S. or world history, literature, or current events.
5. Students report back to the large group their examples and why, according to the listed definition, those people exemplify that civic virtue.

Defining Civic Virtue



1. When you encounter the term “civic virtue”, what do you believe it means?

2. Why do you believe this?

3. Think about principles in the U.S. Constitution such as consent of the governed, separation of powers, and limited government. What assumptions did the Founders seem to be making about human nature? Why might those principles have required civic virtue among citizens and elected leaders?

What Is Virtue? — Historical and Philosophical Context



Some assumptions underlie our selection and discussion of virtues.

Right and wrong exist. Understanding civic virtue means acknowledging this.

To further justice requires that one exercise judgment. To understand and evaluate virtue, we must be willing to admire heroes and condemn villains. We must be willing to take a stand. A special challenge today may be that many people do not wish to appear judgmental. We seek to balance two ideas: on the one hand, being too quick to judge is wrong. Respect means not looking down on others who are not harming anyone simply because you don't agree with them. On the other hand, a reluctance to judge the behavior of others should not mean we do nothing in the face of evil. All that is needed for evil to triumph, it is often said, is for good people to do nothing.



“You never really understand a person until you consider things from his point of view—until you climb into his skin and walk around in it.”

—Atticus Finch, *To Kill a Mockingbird*, by Harper Lee



“Our lives begin to end the day we become silent about things that matter.”

—Martin Luther King, Jr.

Being virtuous does not require belief in a supreme being.

We need not shy away from the term “virtue.” Despite the occasional misunderstanding that it requires religion, virtue may in fact be defined as conduct that reflects universal principles of moral and ethical excellence essential to leading a worthwhile life and to effective self-government. For many leading Founders, attributes of character such as justice, responsibility, perseverance, and others were thought to flow from an understanding

of the rights and obligations of men. Virtue is compatible with, but does not require, religious belief.

To many in the Founding generation, religion and morality were “indispensable supports” to people’s ability to govern themselves. This is because religious institutions nurtured virtue, and the Founders knew virtue was needed for self-government to survive. On the other hand, to paraphrase Thomas Jefferson, it does you no injury whether your neighbor believes in one god or twenty gods. A person’s religion alone would not make him virtuous, and his particular (or lack of) religion would not mean he was incapable of virtue.



“We ought to consider what is the end [purpose] of government before we determine which is the best form. Upon this point all speculative politicians will agree that the happiness of society is the end of government, as all divines and moral philosophers will agree that the happiness of the individual is the end of man. ...All sober inquirers after truth, ancient and modern, pagan and Christian, have declared that the happiness of man, as well as his dignity, consists in virtue.”

—John Adams, *Thoughts on Government*, 1776

Why virtues and not “values” or “character”?

Virtues are eternal because they are rooted in human nature. Values, on the other hand, can change with the times. The word “value” itself implies that values are relative. While values can change with circumstances, it is *always* good to be just, to persevere, to be courageous, to respect others, and so on. The word “character” refers to the sum total of virtues an individual displays. A person of character is virtuous.

Why these virtues?

The United States Founders believed that certain civic virtues were required of citizens in order for the Constitution to work. Numerous primary sources—notably the Federalist Papers and the Autobiography of Ben Franklin—point us to the “Founders’ Virtues.” You will explore some of the following civic virtues as an integral part of *Heroes and Villains*.

- Contribution
- Courage
- Humility
- Integrity
- Justice
- Perseverance
- Respect
- Responsibility / Prudence
- Self-Governance / Moderation

Virtue

Conduct that reflects universal principles of moral and ethical excellence essential to leading a worthwhile life and to effective self-government. For many leading Founders, attributes of character such as justice, responsibility, perseverance, etc., were thought to flow from an understanding of the rights and obligations of men. Virtue is compatible with, but does not require, religious belief.

What Is Virtue? — Defining the Term

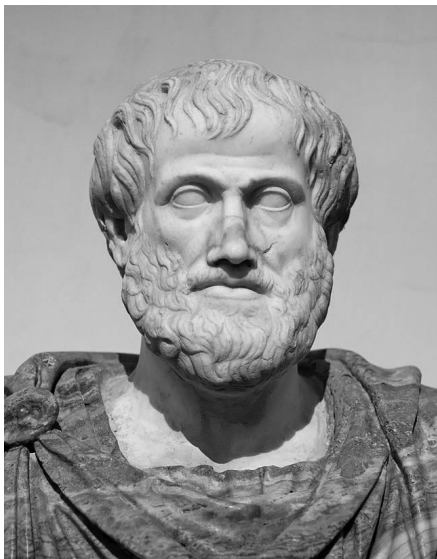


Virtue is a “golden mean.”

Aristotle understood virtue as a “mean” (or middle) between two extremes. The same character trait, when expressed to the extreme, ceases to be virtue and becomes vice. For example, too little courage is cowardice, while too much makes one foolhardy. A healthy respect for authority becomes blind obedience to power when expressed too strongly, or it descends into unprincipled recalcitrance when completely lacking.

Virtue is action.

Thoughts may be about virtuous things, but do not themselves merit the name of virtue. Similarly, words can describe virtuous acts or traits, but can never themselves be virtuous. One’s thoughts and words alone don’t make a person virtuous—one must act on them.



Bust of Aristotle. Marble, Roman copy after a Greek bronze original from 330 BC.

Virtue is a habit.

Aristotle also believed that virtue is a habit. Virtuous behavior is not the result of numerous, individual calculations about which course of action would be most advantageous. For example, a person who finds a piece of jewelry, intends to keep it, but later returns it to the owner to collect a reward helps bring about a just outcome (property was returned to its rightful owner); however he falls short the title “virtuous” because of the calculation he went through to arrive at his course of action. While all virtues must be habits, not all habits are virtuous.

Virtue requires a just end.

Behavior can be virtuous only when done in the pursuit of justice. For example, though courage is a virtue, a Nazi who proceeded in killing thousands of people despite his own feelings of fear cannot be called courageous. Though respect is a virtue, a junior police officer who stood by while his captain brutalized a suspect cannot be called respectful. A complication can come when we either “zoom in” or enlarge the sphere within which action takes place. Could an officer on the wrong side of a war display virtue in the form of courage by taking care of the younger men in his charge and shielding them from harm? Is the “end” of his action the responsibility towards his men, or the continued strength of his army, which is working toward an evil cause?

Clarifying Civic Virtue



Questions 1 and 2 are also on the *Defining Civic Virtue* handout you completed earlier. Now that you have completed and discussed the *What is Virtue?* readings, write your revised responses to those questions, as well as full responses to the additional questions.

1. After further reading and discussion, what do you now believe “civic virtue” means?

2. Compare your response to Question 1 to your response to the same question on the *Defining Civic Virtue* handout.

Did your response change at all after having read and discussed the articles?

Yes / No (Circle one)

If you did revise your answer: What, in the reading and discussion, caused you to revise your response?

If you did not revise your answer: Why did you not change your response?

Even if you did not change your response, what points (in the reading, the discussion, or both) did you find compelling and worth considering?

3. Think about principles in the U.S. Constitution such as consent of the governed, separation of powers, and limited government. What assumptions did the Founders seem to be making about human nature? Why might those principles have required civic virtue among citizens and elected leaders?

Identifying and Defining Civic Virtues



Below are several civic virtues, along with definitions.

Contribution: To discover your passions and talents, and use them to create what is beautiful and needed. To work hard to take care of yourself and those who depend on you.

Courage: To stand firm in being a person of character and doing what is right, especially when it is unpopular or puts you at risk.

Humility: To remember that your ignorance is far greater than your knowledge. To give praise to those who earn it.

Integrity: To tell the truth, expose untruths, and keep your promises.

Justice: To stand for equally applied rules that respect the rights and dignity of all, and make sure everyone obeys them.

Perseverance: To remember how many before you chose the easy path rather than the right one, and to stay the course.

Respect: To protect your mind and body as precious aspects of your identity. To extend that protection to every other person you encounter.

Responsibility: To strive to know and do what is best, not what is most popular. To be trustworthy for making decisions in the best long-term interests of the people and tasks of which they are in charge.

Self-Governance: To be self-controlled, avoiding extremes, and to not be excessively influenced or controlled by others.

In the table below, write down the virtues your teacher assigns to your group. For each, identify a person or character in history, literature, or current events who exemplified that virtue. Include an explanation.

| Civic Virtue | Person/Character | Why, or How? |
|--------------|------------------|--------------|
| | | |
| | | |
| | | |

Teacher's Notes for Launching *Heroes & Villains*



As you begin to integrate *Heroes & Villains* into your instruction, you may find it helpful to consider how it relates to topics you already teach. Below is a curricular planning map so that you and your colleagues can do just that—and determine where and how you can naturally *weave character themes into the curricula you are already teaching*.

Curricular Planning

If you would like to collaborate with colleagues to align your teaching of various themes across your subject areas, a simplified curriculum map may be a quick, easy, and useful tool. See the example below. A blank, full-page version is on the following page.

Notes:

- The history and art teachers have a natural fit, in that both are covering nineteenth century United States.
- Though the English classes are in a different century entirely since they will be reading Homer's *The Odyssey*, they have the opportunity to team up with the history and art teachers by reinforcing the character theme of perseverance in the course of their studies during those weeks.

| SAMPLE | | | |
|----------|---------|----------------------------------|--------------|
| Time | Subject | Topic(s) | Virtue(s) |
| Sept-Oct | History | Westward Expansion | Perseverance |
| Sept-Oct | English | <i>The Odyssey</i> | Perseverance |
| Sept-Oct | Art | 19 th c. American Art | Perseverance |

Heroes & Villains Curricular Planning



| Virtue(s) | | | | | | |
|-----------|--|--|--|--|--|--|
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| | | | | | | |
| Topic(s) | | | | | | |
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| Subject | | | | | | |
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| Time | | | | | | |
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BENJAMIN FRANKLIN AND CIVIC VIRTUE



Suggested Launch Activity TEACHER'S NOTES



About Launch Activities

This optional introductory activity is designed to support you in the classroom. However, the primary narratives and photos in the section that follows can be used with or without this introduction.

Initiate a discussion about individual character by diving, with your students, into Benjamin Franklin's *Autobiography*. As you prepare to teach this primary source activity, select eight or nine of Franklin's list of 13 virtues (listed below) that you believe are either well-reflected or absent from your school's culture. Post your selected list on the board for reference as you read with your students.

| | | |
|------------|------------|-------------|
| Temperance | Industry | Cleanliness |
| Silence | Sincerity | Tranquility |
| Order | Justice | Chastity |
| Resolution | Moderation | Humility |
| Frugality | | |

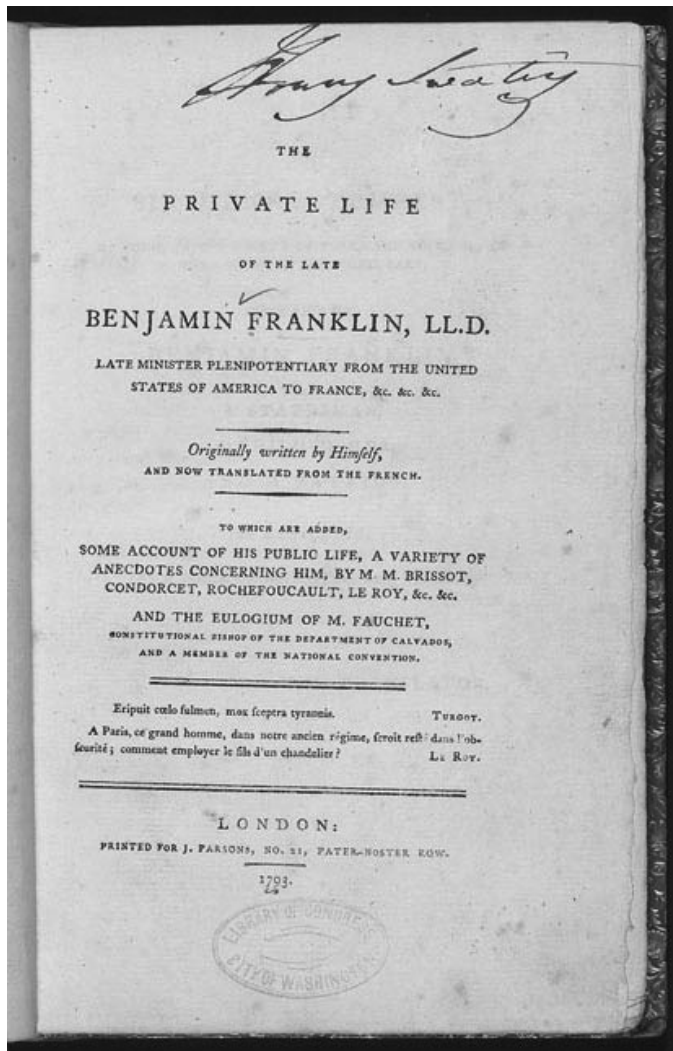
As students enter, instruct them to:

- Read the posted list, identifying the one trait they believe is particularly strong within your school's culture.
- Identify what they believe are the "top three" they believe are weak or absent in your school's culture.
- Write a definition for each of the four that they selected.

Lead a brief discussion of the traits the students listed as strong as well as those they listed as absent or weak. Discuss their definitions of each of the traits you listed on the board.

After students have drafted their lists and written their definitions, ask them what kinds of lists they have ever written. (They may mention homework, packing for trips, reading lists.)

Follow up by asking what techniques they use to motivate themselves for improving artistic or athletic performance, saving up money for something, etc. (They may mention workout lists, practice lists, schedules, college lists, etc.)



Title page, *The Private Life of the Late Benjamin Franklin...* Originally Written by Himself, and Now Translated from the French. London, Printed for J. Parsons, 1793 *Library of Congress*.

Introduce the Benjamin Franklin *Autobiography* excerpts by relating it to the kinds of lists that they just described and explaining that they will find out how he defined the traits. Instruct students to refer as they read to the lists they created when they entered the classroom. Ask them to compare Franklin's definitions to their own as well as to evaluate the effectiveness of his strategy.

Benjamin Franklin and Civic Virtue

Primary Source Activity — Student Handout



Directions: When Benjamin Franklin was in his twenties, he began a project to become a more virtuous person. Many years later, he wrote the following selection from his Autobiography about that time. Read his reflections on virtue, then answer the questions that follow.

It was about this time that I conceiv'd the bold and arduous Project of arriving at moral Perfection. I wish'd to live without committing any Fault at any time; I would conquer all that either Natural Inclination, Custom, or Company might lead me into. As I knew, or thought I knew, what was right and wrong, I did not see why I might not always do the one and avoid the other. But I soon found I had undertaken a Task of more Difficulty than I had imagined. While my Attention was taken up in guarding against one Fault, I was often surpris'd by another. Habit took the Advantage of Inattention. Inclination was sometimes too strong for Reason. I concluded at length, that the mere speculative Conviction that it was our Interest to be completely virtuous, was not sufficient to prevent our Slipping, and that the contrary Habits must be broken and good ones acquired and established, before we can have any Dependence on a steady uniform Rectitude of Conduct. For this purpose I therefore contriv'd the following Method.

In the various enumerations of the moral Virtues I had met with in my Reading, I found the Catalogue more or less numerous, as different Writers included more or fewer Ideas under the same Name. Temperance, for example, was by the some confin'd to eating & Drinking, while by others it was extended to mean

the moderating every other Pleasure, Appetite, Inclination or Passion, bodily or mental, even to our Avarice & Ambition. I propos'd to myself, for the sake of Clearness, to use rather more Names with fewer Ideas annex'd to each, than a few Names with more Ideas; and I included under Thirteen Names of Virtues all that at that time occur'd to me as necessary or desirable, and annex'd to each a short Precept, which fully express'd the extent I gave to its Meaning.

These Names of Virtues with their Precepts were:

TEMPERANCE. Eat not to dullness; drink not to elevation.

SILENCE. Speak not but what may benefit others or yourself; avoid trifling conversation.

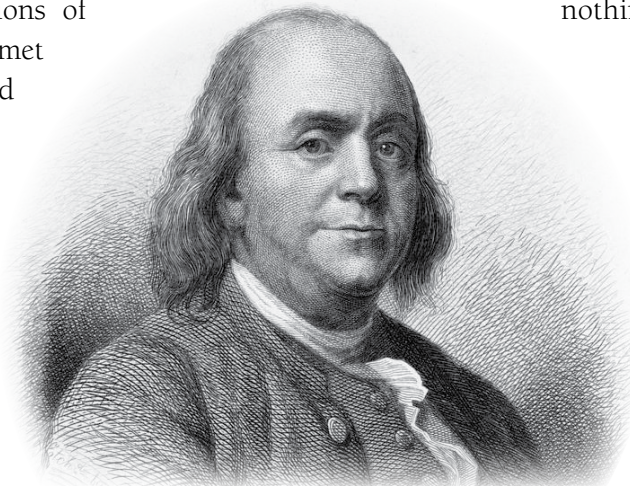
ORDER. Let all your things have their places; let each part of your business have its time.

RESOLUTION. Resolve to perform what you ought; perform without fail what you resolve.

FRUGALITY. Make no expense but to do good to others or yourself; i.e., waste nothing.

INDUSTRY. Lose no time; be always employ'd in something useful; cut off all unnecessary actions.

SINCERITY. Use no hurtful deceit; think innocently and justly, and, if you speak, speak accordingly.



JUSTICE. Wrong none by doing injuries, or omitting the benefits that are your duty.

MODERATION. Avoid extremes; forbear resenting injuries so much as you think they deserve.

CLEANLINESS. Tolerate no uncleanness in body, cloaths, or habitation.

TRANQUILITY. Be not disturbed at trifles, or at accidents common or unavoidable.

CHASTITY. Rarely use venery but for health or offspring, never to dulness, weakness, or the injury of your own or another's peace or reputation.

HUMILITY. Imitate Jesus and Socrates.

My Intention being to acquire the Habitude of all these Virtues, I judg'd it would be well not to distract my Attention by attempting the whole at once, but to fix it on one of them at a time, and when I should be Master of that, then to proceed to another, and so on till I should have gone thro' the thirteen. And as the previous Acquisition of some might facilitate the Acquisition of certain others, I arrang'd them with that View as they stand above. Temperance first, as it tends to procure that Coolness & Clearness of Head, which is so necessary where constant Vigilance was to be kept up, and Guard maintained, against the unremitting Attraction of ancient Habits, and the Force of perpetual Temptations. This being acquir'd & establish'd, Silence would be more easy, and my Desire being to gain Knowledge at the same time that I improv'd in Virtue and considering that in Conversation it was obtain'd rather by the use of the ears than of the Tongue, & therefore wishing to break a Habit I was getting into of Prattling, Punning & Joking, which only made me acceptable to trifling Company, I gave Silence the second Place. This, and the next, order, I expected would allow me more Time for attending to my Project and my Studies; RESOLUTION, once become habitual, would keep me firm in my endeavors to obtain all the subsequent Virtues; Frugality & Industry, by freeing me from my remaining Debt, & producing Affluence & Independence, would make more easy the Practice of Sincerity and Justice, &c &c. Conceiving then that agreeable to the Advice of Pythagoras in his Golden Verses daily examination would be

necessary, I contriv'd the following Method for conducting that examination.

I made a little Book in which I allotted a Page for each of the Virtues. I rul'd each Page with red Ink, so as to have seven Columns, one for each Day of the Week, marking each Column with a letter for the Day. I cross'd these Columns with thirteen red lines, marking the Beginning of each line with the first letter of one of the Virtues, on which line & in its proper Column I might mark by a little black Spot every Fault I found upon examination to have been committed respecting that Virtue upon that Day.

I determined to give a Week's strict Attention to each of the Virtues successively. Thus in the first Week my great Guard was to avoid every the least offense against Temperance, leaving the other Virtues to their ordinary Chance, only marking every evening the Faults of the Day. Thus if in the first Week I could keep my first line marked clear of Spots, I suppos'd the Habit of that Virtue so much strengthen'd and its opposite weaken'd, that I might venture extending my Attention to include the next, and for the following Week keep both lines clear of Spots. Proceeding thus to the last, I could go thro' a Course complete in Thirteen Weeks, and four Courses in a Year. And like him who having a Garden to weed, does not attempt to eradicate all the bad Herbs at once, which would exceed his Reach and his Strength, but works on one of the Beds at a time, & having accomplish'd the first proceeds to a Second; so I should have, (I hoped) the encouraging Pleasure of seeing on my Pages the Progress I made in Virtue, by clearing successively my lines of their Spots, till in the end by a Number of Courses, I should be happy in viewing a clean Book after a thirteen Weeks, daily examination.

I enter'd upon the execution of this Plan for Self examination, and continu'd it with occasional Intermissions for some time. I was surpris'd to find myself so much fuller of Faults than I had imagined, but I had the Satisfaction of seeing them diminish. To avoid the Trouble of renewing now & then my little Book, which by scraping out the Marks on the Paper of old Faults, to make room for new ones in a new Course, became full of Holes: I transferr'd my Tables

& Precepts to the Ivory leaves of a Memorandum Book, on which the lines were drawn with red Ink that made a durable Stain, and on those lines I mark'd my Faults with a black lead Pencil, which Marks I could easily wipe out with a wet Sponge. After a while I went thro' one course only in a year, and afterward only one in several years, till at length I omitted them entirely, being employ'd in voyages and business abroad, with a multiplicity of affairs that interfered; but I always carried my little book with me.

...on the whole, tho' I never arrived at the perfection I had been so ambitious of obtaining, but fell far short of it, yet I was, by the endeavour, a better and a happier man than I otherwise should have been if I had not attempted it; as those who aim at perfect writing by imitating the engraved copies, tho' they never reach the wish'd-for excellence of those copies, their hand is mended by the endeavor, and is tolerable while it continues fair and legible.

Questions to Consider



1. How does Franklin understand virtue? How does he define, use, and refine the term?
2. What was Franklin's rationale for ordering and working on the virtues in the order he did?
3. Franklin wrote that there was something more powerful than his intention to live virtuously. What was that more powerful thing?
4. Aristotle believed that virtue was a habit. Would Franklin have agreed with him?
5. How did Franklin incorporate the virtues he wrote about into his project to embody them?
6. How does Franklin describe his struggle to live virtuously? Do you believe moral perfection is possible? Is so, how? If not, what motivates an individual to act virtuously? Is it better to aim for perfection and fail than to not try at all?
7. What does Franklin reveal about his beliefs regarding the universality of right and wrong?
8. Did Franklin believe he succeeded in his ultimate goal? Why or why not?
9. What value did Franklin find in the project?
10. What most impresses you about Franklin's project?
11. Compare Franklin's list to the one found in the "Identifying and Defining Civic Virtue" handout earlier in this book. What differences do you find? What similarities?
12. How could you borrow some of Franklin's ideas and strategies to help you work on just one or two character traits you would like to improve?

STUDENT ACTIVITY

There's an App for That



Imagine that the inventive Benjamin Franklin is not only alive in the present day, but that he is designing an app to help people improve their character. It will be a twenty-first century version of his journaling project as described in his *Autobiography*. With your partner(s), write a description of how the app will work. How will goals and progress be measured? Will it interface with any existing apps? Will it require any accessories?

Give the app a name, as well as a description that would accompany its listing in the App Store.

Extension: Display the students' App Store descriptions, and devise a system for students to "browse" the App Store, then select two or three apps for which to write a review and to rate on a five-star system.

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Be Like Ben?

NAME: _____

DATE: _____



Directions Should you try to be “the best,” or even perfect, at every endeavor? If perfection is unattainable, then what is the purpose of striving, every day, to do better than you did the day before? Identify an area of your life in which you, like Ben Franklin, work to improve, and explain why you do so.

[illegible]

“Resolve to perform what you ought. Perform without fail what you resolve.”

–BENJAMIN FRANKLIN

HEROES & VILLAINS

Answer Key



Defining Civic Virtue (p. v)

1. Answers will vary. Some students may say that when they encounter the term “civic virtue,” they assume it refers to religious morality, or some sort of general morality. Others may be more specific, saying that it refers to personal conduct that affects society in a positive way.
2. Answers will vary. Encourage open and thoughtful discussion of responses.
3. Sample responses: Because human beings are imperfect, no one person should have too much power—hence, separation of powers. Because no one group should have too much power—limited government.

Clarifying Civic Virtue (p. x)

1. Students’ responses should expand on their previous answers and incorporate historical and philosophical context, perhaps including Aristotle and indicating that it may include, but does not require, religious belief. Some students should also note that it involves a balance between extremes, action rather than just ideals, regular habits, and must be related to just purposes.
2. If student response did change, response should be a reasoned explanation of what points in the reading contributed to this change. If the student response did not change, response should provide a reasoned explanation for why, based on the text, it did not.
3. Student responses should have expanded beyond their first response and make a direct

connection between the U.S. constitution and a constitutional republic, as well as to the ideas about human nature and the constitutional republic as addressed in the reading.

Identifying and Defining Civic Virtue (p. xi)

Student responses will vary; accept answers that make a reasonable connection among the civic virtue, the person or character, and the justification based on the definition.

Benjamin Franklin and Civic Virtue - Questions to Consider (p. xix)

1. Franklin understood virtue to be habits or traits that would reflect good conduct (“rectitude of conduct”) and bring a person closer to moral perfection. He refined his understanding as he concluded that moral perfection was not possible, but that the ambition and attempt toward it made him a better and a happier person.
2. Franklin ordered the virtues because he thought that working on all of them at the same time would be distracting and that focusing on one at a time would be a more effective way to work on them. He put them in an order so that virtues he acquired earlier might help him to develop others that were later on his list.
3. “Contrary Habits” or “Inclination” led him to keep slipping into habits that were not virtuous.
4. Given how frequently Franklin refers “habit” as a part of his attempt to become more “morally

perfect,” and the system he devised in order to increase his practice of virtues, he appears to have agreed with Aristotle that virtue was, indeed, a habit.

5. Franklin intended to master one virtue at a time, focusing on each one for a week and marking in his book the number of times he failed at that virtue. His goal was to keep each week clear of marks indicating when he had failed.
6. Franklin has difficulty living as virtuously as was his goal. He had difficulty keeping his weekly lines “marked clear of spots.” He did, however, see his faults diminish.

Moral perfection: Student responses will vary, but should be reasonable and related to the student’s overall beliefs and understandings. Challenge students to identify the bases of their motivations to act virtuously.

7. Franklin’s words are based on assumptions that right and wrong are universal and absolute, even while moral perfection may not be humanly impossible.
8. Franklin did not accomplish his initial goal of moral perfection because he never did rid himself of the faults he sought to eliminate because he found himself “so much fuller of Faults” than he had imagined.
9. He did eventually begin to see his faults diminish, and he did become a happier person than he would have been if he had not made the attempt, and he believes he was made better for having tried.
10. Student responses will vary, but should be based on the text.
11. Similarities students may find are:
 - Contribution – Industry.
 - Integrity – Sincerity.
 - Justice – Justice.
 - Perseverance – Industry.
 - Respect – Chastity.

- Responsibility – Resolution. Responsibility – Frugality. Responsibility – Temperance.
- Self-Governance – Silence. Self-Governance – Order. Self-Governance – Moderation.

Students may find several differences, including that some of Franklin’s virtues may not seem to correlate to those in the “Identifying and Defining Civic Virtue” list. Students may also identify differences in the definition of virtues that may otherwise seem similar.

12. Accept reasoned student responses.

Tanks in the Square (p. 3)

1. Students may be somewhat familiar with this scene, including the fact that it is often referred to as “Tank Man” and that it took place in China. Some may know the decade or year it took place. Some may also know something about the political context and its place in history. Use responses to inform instruction.
2. Student responses will vary. Use responses to inform instruction throughout the rest of the activity. Provide answers, to students’ additional questions, or provide a means for them to research them in class.
3. Accept reasoned responses that are based on what can be observed in the photograph. Students should spot the man standing in front of the tank.
4. Students should identify the man standing in front of the tank on the left side of the photo. In the context of the size of the Square, and the size and number of the tanks, he appears quite small—and could almost be missed by someone not looking closely.

Students may say that he is making a statement about his determination in his protest, about his lack of fear of the tanks and troops, or of his willingness to sacrifice for what he is demanding.

13. Students may answer that injustice may come from humans' tendency toward greed, selfishness, power, or other vices. They may respond that humans' desire for justice may come from a human sense of fairness, the worth of the individual, caring, community, or other virtuous ends.
14. Responses will vary. Encourage responses that are personal and specific, and in which students can engage immediately or very soon.

Roger Taney and Injustice: Discussion Guide (p. 63)

1. Congress had crafted several attempts to settle the building controversy surrounding the spread of slavery, including the Compromise of 1850 and the Kansas-Nebraska Act. The Kansas Nebraska Act had resulted in "Bleeding Kansas"—violent confrontations between pro-and anti-slavery forces—many of whom were not Kansas citizens. Southern leaders were threatening secession, and many people believed war between the states was imminent.
2. At various times in his life, Taney was a slaveholder who freed his slaves, a legislator who supported the rights of blacks, and a defender of abolitionists. When he joined the Democratic Party and served as Andrew Jackson's Attorney General, he supported the power of states to make their own laws regarding slavery, and asserted that individuals of the African race were not considered to be citizens. Regarding the reasons for Taney's change over time, accept reasoned responses. Students may suggest that political motivations were responsible.
3. Taney supported the South's power to keep blacks in an inferior position. He foolishly believed that he could settle the highly contentious political question from the Supreme Court, and he let political opinions cloud his judicial decision-making.
4. Accept reasoned responses in which the student refers to passages from the narrative itself. Students may suggest that Dred Scott's attorney would make the following points:
 - Scott lived for several years in the free state of Illinois and in the free Wisconsin Territory.
 - Missouri's judicial standard was "once free, always free."Sanford's attorney might make the following points
 - The black race, whether slave or free, had been in an inferior position through much of American history.
 - The family of Emerson's widow would lose uncompensated property if Scott were freed.
 - Slaves were not citizens and therefore had no political voice, and no right to sue in federal court.
5. He hoped the Court's decision would settle the slavery question once and for all, and avert a civil war. But, by taking the question out of the democratic deliberation of the people and their representatives in Congress and the states, the decision actually led to great emotion and further enflamed tensions that would lead to Civil War.
6. The decision did not support a healthy constitutional republic because it allowed one race of people to violate the rights of another race. Civic virtue was not supported by a decision that set a precedent of injustice in a Supreme Court decision. The most important elements of Chief Justice Taney's opinion in the Dred Scott case were his statements that
 - a. African Americans, whether slave or free, were not citizens at the time of the Founding and never could be citizens.
 - b. The Founders thought that blacks were an inferior class, with no rights that the white

man was bound to respect. Therefore, they had no right to sue in federal court.

- c. The Missouri Compromise was unconstitutional, Congress had no power to regulate slavery in the territories, and therefore slavery could become legal in every state.
 - d. Dred Scott was still a slave.
7. The Dred Scott decision made civil war even more likely because it worsened sectional differences between the north and the south and eliminated the possibility of further political compromise.
 8. Unlike Taney, Lincoln stood for a Union of natural rights for all humans and did not believe that the country could survive indefinitely “half slave, half free.” He argued that the Declaration of Independence “set up a standard maxim for free society” of self-governing individuals and advanced the natural rights of the individual. If the Court gained the final say on political decisions, Lincoln thought “the people will have ceased to be their own rulers.” Lincoln supported the natural rights of liberty and equality for all humans in the name of justice. He joined the Republican Party which was created to oppose the Kansas-Nebraska Act and then the Dred Scott decision.
 9. Through historical research in painstaking detail, Justice Curtis’s opinion countered Taney’s reasoning by pointing out that, at the time of the Founding, African Americans were citizens and even voted in several states. Also, he repudiated the idea that the Missouri Compromise was unconstitutional, because he showed more than a dozen instances in which Congress had legislated with respect to slavery before the Missouri Compromise. The power of Congress to do so was settled practice prior to 1820; for the Court to invalidate that power in 1857 was a violation of the principle that law should be settled and stable.

Roger Taney—Excerpts from Majority and Dissenting Opinions: Discussion Guide (p. 66)

Accept reasoned responses supported by the documents.

Frederick Douglass and Responsibility: Discussion Guide (p. 75)

1. Historically, enslaved were prevented from learning to read because literacy was the domain of free people, and because of a concern that if slaves were exposed to the ideas of philosophy and politics, they could revolt.
2. When Douglass was eight years old, his master’s wife began to teach him the alphabet and basic reading skills.
3. Douglass found time to spend with peers who helped him by showing him how to read in exchange for his bread. He also challenged boys to writing contests, and when the other boys wrote letters he didn’t know, even though he lost, it was his way of learning more letters.
4. Students may reason that Douglass’s actions were virtuous because they were done in the pursuit of justice. Others may say that breaking the law is never virtuous. Some may note that the law he was breaking was unjust, thus making his act virtuous. Some may also refer to the statement “Virtue require a just end,” from the **What is Virtue?** handout in the Virtue Teaching Tool chapter.
5. Responses will vary; accept reasoned responses that address his key points.
6. Accept reasoned answers that are based on the texts.
7. Accept reasoned answers that address Shaw’s quotation.
8. Student responses may vary, but should include references to other texts that they have studied, and to an appropriate understanding of the Constitution and republic.