A Report to the **Texas Education Agency** on

K-12 Social Studies Texas Essential Knowledge and Skills

I have reviewed the Texas K-12 Social Studies Texas Essential Knowledge and Skills (TEKS). In this report, I will begin with some general observations and recommendations applicable to all or many sections of the TEKS. This will be followed by comments on, and recommendations for, specific sections of the TEKS.

I.

[b] [21] [A]; §113.23. Social Studies, Grade 7 [b] [21] [A]; §113.24. Social Studies, Grade 8 [b] [30] [A]; §113.32. United States History [c] [24] [A]; and §113.33. World History Studies [c] [25] [B]). A comprehension of key constitutional documents in American history is important for developing not only a basic literacy in American history and civil government but also basic skills of historical research. In order to develop these skills and to provide students with evidence in support of claims about American history and culture, I recommend that greater attention be given to primary source documents, especially state papers.

Students must be taught how to read, evaluate, and use documentary sources. In terms of constitutional and legal interpretation, not all sources and evidence are afforded the same weight. A legislative debate or a constitutional framer's musings in a private missive are not given the same weight as the actual text of a constitutional document or law that has been duly adopted and ratified. Students must learn how to weigh and evaluate these different types of evidence. When confronted with a document, students should ask, *inter alia*, who wrote this, when was it

a private letter or diary entry from a bill's sponsor describing the objective for the bill. These are the basic tools of textual interpretation and scholarship.

Beyond this, I recommend the identification of key documents in American history that every student, before exiting high school, should be able to identify and describe its basic content and themes. Among the documents I would place on this list are, pursuant to the U.S. Public

Pennsylvania Charter of Liberties and Frame of Government (1682)

Declaration of the Causes and Necessity of Taking up Arms (1775)

Virginia Declaration of Rights (1776)

George Washington's Circular Letter of Farewell to the Army (1783)

The Federalist Papers (1787-1788)

George Washington's Farewell Address (1796)

3. **Features and Themes of the American Constitutional Tradition**

Students must be able to identify and discuss basic features and themes of the American constitutional tradition. These were among the most vital concepts and institutions in the founders' vision for a constitutional regime of self-government and liberty under law. These must be reviewed and discussed throughout elementary and secondary education in discussions of American governing principles and not relegated to a few sections. Among the questions to be addressed are what were the sources of these constitutional ideas, why were these ideas important to seventeenth-century and eighteenth-century Americans, how were these ideas manifested in American political and legal institutions, what did these ideas mean to Americans in the late-eighteenth century, have these ideas been redefined over the course of the last two centuries (and, if so, what are the consequences of these redefinitions), and are these ideas still relevant and important to us today?

What are the defining features of the American "constitutional tradition"? Much is encompassed in such a term, and not all scholars agree on what constitutes the essential features of this tradition. Notwithstanding some disagreement as to its precise content and the fact that this tradition has evolved over time, most commentators acknowledge that it is concerned with

should also be able to explain why the constitutional framers thought these ideas were important to the constitutional system they devised. Many of these concepts, for example, stem from a distrust of human nature. The idea of original sin and mankind's radical depravity (Genesis 3) prompted the framers to design a constitutional system that would (i) prevent the concentration of power and (ii) check the abuse of power vested in fallen human agents. Because men are not angels, Madison counseled in *The Federalist Papers,* "[a]mbition must be made to counteract ambition." Publius [James Madison], *The Federalist* Number 51. One cannot appreciate the most basic, fundamental features of the American constitutional design – limited government, federalism, separation of powers among the three branches of the national government, checks and balances, representative government, rule of law, and due process of law – without understanding the Reformed theological doctrine of radical depravity and the attendant necessity to check mankind's fallen nature.

4. **Role of Nongovernmental Institutions**

In addition to introducing students to the basic concepts and official institutions of American civil government, the curriculum must give attention to nongovernmental institutions the founders thought essential to a free, self-governing people. These institutions, to be sure, are not accountable to the public in the same way as governmental institutions; nonetheless, they play a vital role in public life. Among these nongovernmental institutions are

a free and independent press

education (which over the course of two centuries has come to be seen as a governmental function)

religion

private voluntary associations, including benevolent societies

It is difficult to overstate the role of these nongovernmental, mediating institutions in the American system. The framers of the American constitutional tradition, for example, believed that a free and independent press that could investigate the conduct of civil government and public officials, and thereby check public corruption and abuse of power, was absolutely essential in the American system of self-government. Thomas Jefferson wrote, "our liberty . . . cannot be guarded but by the freedom of the press, nor that be limited without danger of losing it." Thomas Jefferson to John Jay, 25 January 1786. A free press also served to inform the public so that citizens could make well-informed, reasoned decisions about how best to govern themselves.

The founding generation similarly believed that a literate, well-educated populace was an essential component of self-government. A self-governing people must be well educated in order to make informed decisions about how to govern themselves. Thus education and schools were vital to the American political system. (Americans today, typically, think of schools as a function of civil government, but late-eighteenth-century Americans were more likely to think of education as the function of the family and/or church.) Believing that a self-governing people must also be a virtuous people (that is, controlled by an internal moral compass), the American founders often coupled religion and education as key pillars of their experiment in republican self-government. The interdependence of religion, education, and civil government was acknowledged in the Northwest Ordinance (1787), one of the organic laws of the United States of America and arguably the most important legislation enacted by the Confederation Congress, which declared that, because "Religion, Morality and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be

encouraged [and] [n]o person" in the territories "demeaning himself in a peaceable and orderly manner shall ever be molested on account of his mode of worship or religious sentiments." Northwest Ordinance (1787), articles 3 and 1.

Along with a free press and education, the founders thought religion was indispensable to a system of self-government. Again, at the federal level, at least, they thought of religion as a vital nongovernmental entity contributing to social order, civic virtue, and political prosperity. The challenge the founders confronted was how to nurture personal responsibility and social order in a system of self-government. Tyrants and dictators use the whip and rod to force people to behave as they desire, but clearly this is unacceptable to, and incompatible with, a free, self-governing people. In response to this challenge, the founders looked to religion (and morality informed by religious faith) to provide the internal moral compass that would prompt citizens to behave in a disciplined manner and, thereby, promote social order and political stability. The literature of the founding era is replete with this argument. No one made the point more succinctly or famously than George Washington in his Farewell Address of September 19, 1796:

> Of all the dispositions and habits which lead to political prosperity, Religion and morality are indispensable supports. In

and discourse of the founding. It was espoused by Americans from diverse religious and intellectual traditions, walks of life, and regions of the country. Long before Washington's Farewell Address, John Adams remarked: "Statesmen, my dear Sir, may plan and speculate for liberty, but it is religion and morality alone, which can establish the principles upon which freedom can securely stand. The only foundation of a free constitution is pure virtue." John Adams to Zabdiel Adams, 21 June 1776. The Reverend Doctor Samuel Cooper, pastor of Boston's Brattle Street Church, remarked in a sermon preached before Massachusetts' elected officials in October 1780:

> Righteousness, says one of the greatest politicians and wisest princes that ever lived, "Righteousness exalteth a nation" [Proverbs 14:34]. This maxim doth not barely rest upon his own but also on a divine authority; and the truth of it hath been verified by the experience of all ages.
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> Our civil rulers will remember, that as piety and virtue support the honour and happiness of every community, they are peculiarly requisite in a free government. Virtue is the spirit of a Republic; for where all power is derived from the people, all depends on their good disposition. If they are impious, factious and selfish; if they are abandoned to idleness, dissipation, luxury, and extravagance; if they are lost to the fear of God, and the love of their country, all is lost. Having got beyond the restraints of a divine authority, they will not brook the control of laws enacted by rulers of their own creating.

Samuel Cooper, *A Sermon Preached before His Excellency John Hancock, Esq; Governour, the Honourable the Senate, and House of Representatives of the Commonwealth of Massachusetts, October 25, 1780. Being the Day of the Commencement of the Constitution, and Inauguration of the New Government* (1780). The governor of Massachusetts, John Hancock, instructed the

Commonwealth's legislators in November 1780, shortly after the adoption of a new state constitution: "Sensible of the importance of christian piety and virtue to the order and happiness of a State, I cannot but earnestly recommend to you, every measure for their support and encouragement, that shall not infringe the rights of conscience. . . . [N]ot only the freedom, but the very existence of the republics . . . depend much upon the public institutions of religion, and the good education of youth." John Hancock, Speech of his Excellency the Governor to the Gentlemen of the Senate and of the House of Representatives of the Commonwealth of Massachusetts, 2 November 1780. On October 11, 1782, the Continental Congress issued a Thanksgiving Day Proclamation, declaring that "the practice of true and undefiled religion . . . is the great foundation of public prosperity and national happiness." Abraham Baldwin, a Georgia representative to the Confederation Congress and signer of the U.S. Constitution, wrote in the 1784 founding charter for the University of Georgia: "a free government . . . can only be happy when the public principles and opinions are properly directed, and their manners regulated. This is an influence beyond the reach of laws and punishments, and can be claimed only by religion and education. It should therefore be among the first objects of those who wish well to the national prosperity to encourage and support the principles of religion and morality. . . ." Charter of University of Georgia (1784). Benjamin Rush, a venerated signer of the Declaration of Independence, opined in 1786: "the only foundation for a useful education in a republic is to be laid in RELIGION. Without this [religion], there can be no virtue, and without virtue there can be no liberty, and liberty is the object and life of all republican governments." Benjamin Rush, *Thoughts upon the Mode of Education Proper in a Republic* (1786). David Ramsay, physician, delegate to the Continental Congress, and the first major historian of the American Revolution, wrote in 1789: "Remember that there can be no political happiness without liberty; that there

can be no liberty without morality, and that there can be no morality without religion." David

governing people. In his Farewell Address, Washington discounted the notion that morality can prevail in the absence of religion. He conceded that, for rare individuals (perhaps he had Jefferson in mind), “the influence of refined education on minds of peculiar structure” may account for a morality uninformed by religion; however, he went on to say that both “reason and experience” forbid us, especially in a large republic such as th

Records establishing the religious identification of late-eighteenth-century Americans are

It should also be noted that the vast majority of these Protestants identified with the Reformed theological tradition. See Sydney E. Ahlstrom, *A Religious History of the American People* (New Haven, Conn.: Yale University Press, 1972), 350: the Reformed theological tradition was "the religious heritage of three-fourths of the American people in 1776." Adherents of the Reformed theological tradition included the New England Puritans and later the Congregationalists, the Scottish Covenanters, the French Huguenots, the Dutch and German

faith commitments, socio-economic standings,

clergymen. Important historical figures students must be introduced to, in addition to the famous founders, include Samuel Adams, John Dickinson, Elbridge Gerry, John Jay, Richard Henry Lee, George Mason, Gouverneur Morris, Charles Pinckney, Benjamin Rush, John Rutledge, Roger Sherman, Mercy Otis Warren, James Wilson, and John Witherspoon. Two out of the many sections in the TEKS appropriate for a discussion of these important founders are §113.7. Social Studies, Grade 5 (b) (3) (A); and §113.35. United States Government (c) (2) (B). A valuable resource written for teachers and designed to introduce teachers and students to some important forgotten founders is: Gary L. Gregg II and Mark David Hall, ed., *America's Forgotten Founders* (Louisville, Kent.: Butler Books; The McConnell Center, University of Louisville, 2008).

II. **RECOMMENDATIONS FOR SPECIFIC TEKS SECTIONS**

§113.2. Social Studies, Kindergarten (b) (10). I would add "(D) explain the role of language" in contributing to national identity.

§113.3. Social Studies, Grade 1 (b) (11). I would add a public official from the judicial branch and legislative branch. The same comment applies to similar exercises in later grades (see, for example, §113.4. Social Studies, Grade 2 [b] [12] [A); §113.7. Social Studies, Grade 5 [b] [20] [A]).

§113.4. Social Studies, Grade 2 (b) (11) (B). I would add police protection and fire protection, which are better examples of core services of civil government than libraries and parks.

§113.4. Social Studies, Grade 2 (b) (13) (B). Florence Nightingale seems like an odd choice given that her connection with the United States is limited.

§113.5. Social Studies, Grade 3 (b) (2) (A). I would add "religious freedom" as one of the reasons to consider for why people have formed communities. This is particularly relevant in American history.

§113.5. Social Studies, Grade 3 (b) (10) (C). I would add the following language: "including providing for the common defense by serving in the military." I would similarly add "serving in the military" to §113.24. Social Studies, Grade 8 (b) (20) (D).

§113.7. Social Studies, Grade 5 (b) (1). I would add the following section: "(A) explain how religious intolerance in Europe impacted the creation of colonies in North America and patterns of migration."

§113.7. Social Studies, Grade 5 (b) (1) (B). Other significant colonial leaders who students should be introduced to are: John Winthrop, John Cotton, William Bradford, William Brewster, Myles Standish, Christopher Newport, Thomas Dale, and Lord de la Warr (Thomas West). Anne Hutchinson does not fit neatly into this category

§113.7. Social Studies, Grade 5 (b) (3) (A). Other important figures who helped shape the U.S. Constitution and who should be introduced to students include: James Wilson, George Mason, Gouverneur Morris, John Rutledge, Charles Pinckney, Elbridge Gerry, Edmund Randolph, and Luther Martin. See Gary L. Gr

the first half of the nineteenth century, including a religious belief that all people were made in the image of God and, therefore, had value and dignity."

§113.33. World History Studies (c) (1) (B). This section should include other important "turning points," including the advent of Christianity, the Protestant Reformation, and the invention of the printing press with movable type.

§113.33. World History Studies (c) (3) (C). Alongside discussions of the Roman Catholic Church and the Crusades, students must be aske

Following an extensive survey of American political literature from 1760 to 1805, political scientist Donald S. Lutz reported that the Bible was cited more frequently than any European writer or even any European school of thought, such as the Enlightenment or Whig intellectual traditions. Even though he excluded from his sample most documents, including many political sermons, that included no citations to secular political thinkers (greatly suppressing the number of references to the Bible in this literature), the Bible accounted for about a third of all citations. According to