

# So What of the American Constitution Classroom Application

...

Constitutional Literacy Institute  
June 27th, 2025

# Using *With Liberty and Justice for All?*

...

Steve Steinbach

June 27, 2025

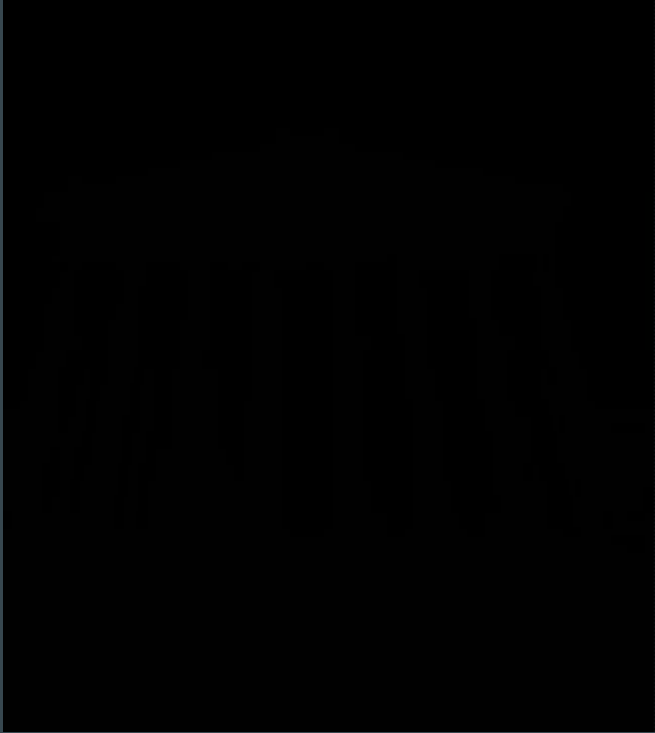
[stevensteinbachdc@gmail.com](mailto:stevensteinbachdc@gmail.com)



Also -

Website: [www.oup.com/us/libertyandjustice](http://www.oup.com/us/libertyandjustice)

# Chapter 1 - Foundations of Constitutional History



- What is a constitution? (p1-31)
- Judicial review (p31-47)
- Constitutional interpretation (p47-57)
- Popular sovereignty (website 2.1)

# United States History IS Constitutional History



“Study the Past”

## Chapters 2-8

Constitutional Convention

Ratification

Early nation

Civil War era

Chinese exclusion

Women's rights

Japanese internment

McCarthyism

Desegregation; voting

Privacy; abortion; same-sex  
marriage; guns; affirmative action

# Constitutional Themes Over Time



# 1. Slavery/Race thread



# 1. Slavery/Race thread

- Convention compromises (p79-97)
- Slavery and state law (p129-143)
- Slavery and national law (website 3.2)
- Fugitive slave controversy (p175-189)
- *Dred Scott* (p189-202)
- Secession (website 4.1)
- Abolition/13th Amendment (website 4.2)

# 1. Slavery/Race thread

- 14th Amendment interpretation (p202-214)
- School desegregation (p328-336)
- Public accommodations (p336-345)
- Voting rights (website 7.1)
- Affirmative action (website 8.1)

## 2. Women's rights thread



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- 18th Amendment (p263-266)
- 19th Amendment (p273-280)
- Equal Rights Amendment (p280-287)
- Modern equal protection (p378-385)

### 3. First Amendment thread



### 3. First Amendment thread

- Alien & Sedition controversy (website 3.1)
- Civil War
- Free speech during WWI (website 6.1)
- McCarthyism (p318-328)
- Modern free speech controversies
- Student free speech (website 7.2)

## 4. Federalism Thread





## 4. Federalism Thread

- Ratification debates (website 1.1)
- Alien & Sedition Act crisis (website 3.1)
- Nullification crisis
- Fugitive slave controversy (p175-189)
- Secession (website 4.1)
- Interpretation 14th Amendment (p202-214)
- Civil rights (p328-336)
- nowadays

## 5. Supreme Court failures

Dred Scott (p 189-202)

Plessy (p 210-213)



Buck v. Bell (website 6.2)

Korematsu (pg 287-298)

## 6. Appendix 1 (p 403-408)

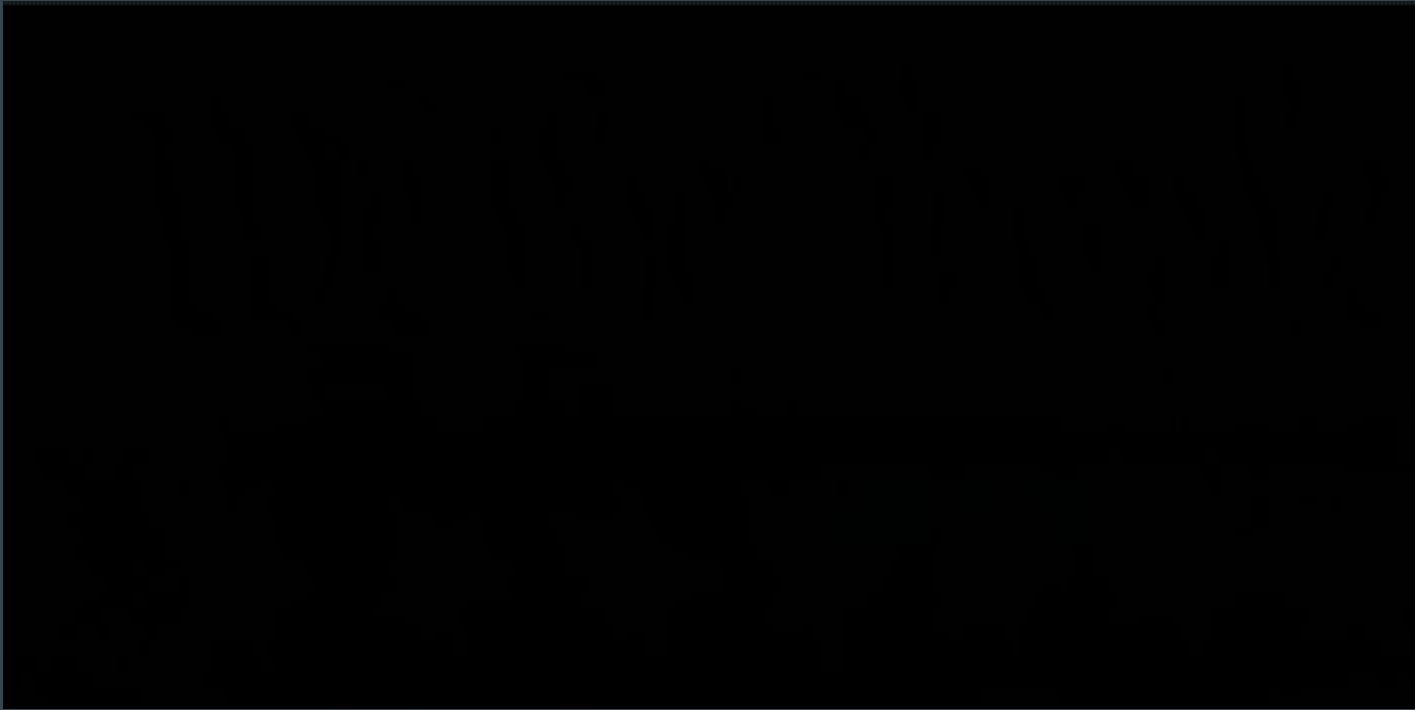
Debating the Constitution



## 7. Appendix 2 ( 409-417)

Other Ideas for Teaching Constitutional History





# Civil Discussion



How to have difficult conversations

# Background

Grew up in the LA area (Covina, CA) in a large family (9 kids)

Came to Utah - BYU - Graduated w/ Teaching Social Science degree (TESOL Minor)

Took a religious sabbatical for a year and a half in Knoxville, Tennessee

Teaching for 10 years (Gov & Cit, CE POLS 1100, US History, Geog, Soc, Utah Hist)

BYU - Student Teacher/Intern Supervisor and History 276 Instructor

Saratoga Springs (Vista Heights & Westlake) & Eagle Mountain (Cedar Valley High)

Coached basketball (6 years), softball (2 years), soccer conditioning (3 years)

Taught through 2016 election, 2020 election, and COVID (still had a job)

# Purpose of these sessions

The morning sessions are to increase our knowledge (Think like a Student)

The Quill sessions are to increase students and our research skills (Think like a Researcher)

The pedagogy sessions are to provide specific lesson plans (Think like a Teacher)

The classroom application sessions are to break down into ideas, concepts and units for students. (Think like a Teacher)



# Big picture Unit Outline of Constitutional Literacy

Monday- Foundations and Big Concepts of CL (Knowledge)

Tuesday- Dispositions of CL, Making our leaders Human (Dispositions)

Wednesday- Process of CL (Skills)

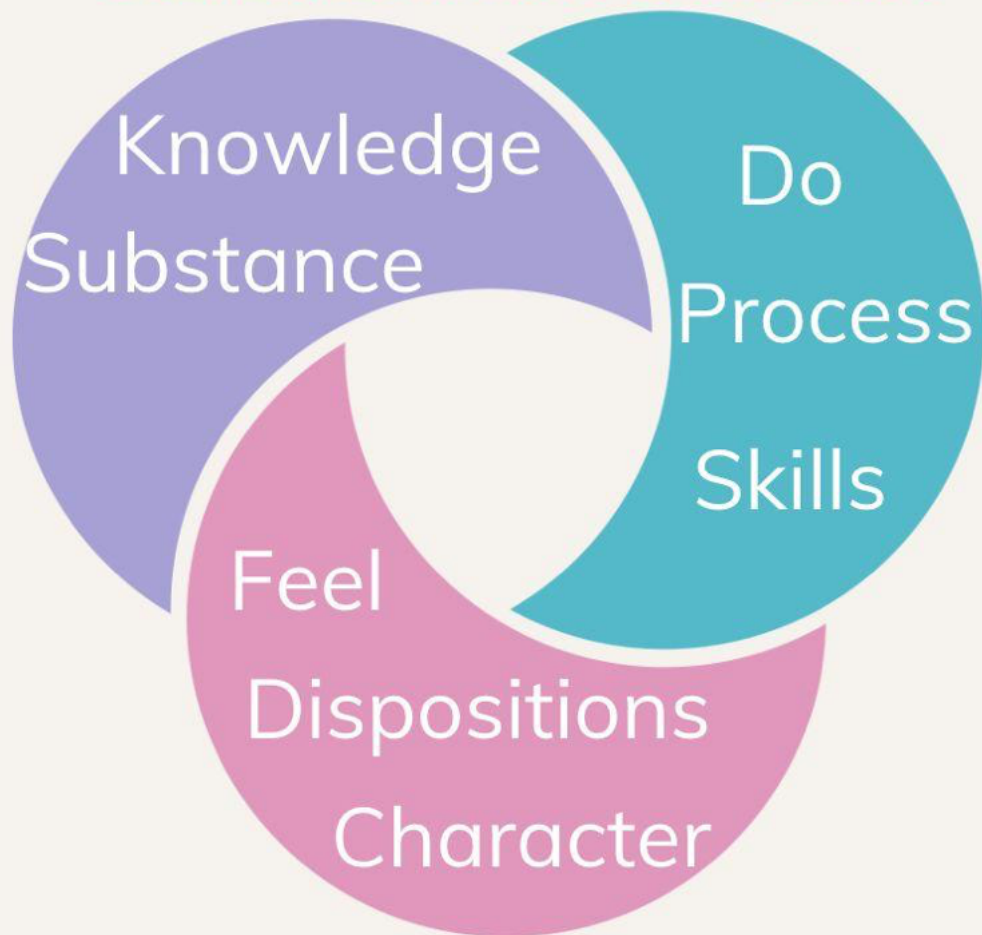
Thursday- Race and CL, Talking to Strangers Chapter 1 and 2

**Friday- Reflections and “Why’s” of CL**

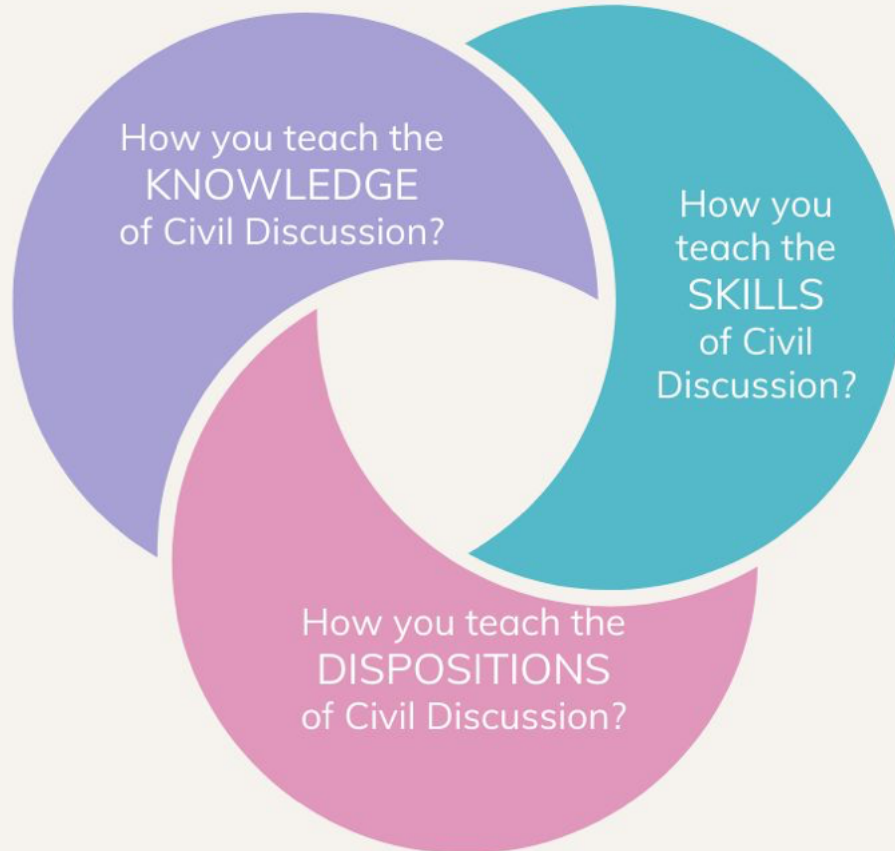
# Objectives for Today

- 1) Teachers will reflect on the importance of Constitutional Literacy for themselves and their students. Think about own passion and why CL. Most important knowledge, skills and dispositions are most important to me to give to my students?
- 2) Teachers will understand that the Constitution is messy and hard work and is not only a unit in curriculum but central to American history and society.
- 3) Teachers will reflect on the own Pedagogy Content Knowledge.
- 4) Teachers will feel confident engaging students in the knowledge, skills, and dispositions of Civility.
  - a) Know: Teachers will have a basic formula to engage their students in meaningful civic dialogue.
  - b) Do: Teachers will discuss strategies for meaningful civic dialogue.
  - c) Feel: Teachers will feel reflective about their own classrooms.

## DEEPER LEARNING FRAMEWORK



## DEEPER LEARNING FRAMEWORK



# REPUBLIC OF THE UNITED STATES

## CONSTITUTION (C)

PROTESTANT  
REFORMATION

BRITISH  
ENLIGHTENMENT

CLASSICAL  
REPUBLICANISM

AMERICAN  
EXPERIENCE

CIVIL RIGHT and  
CIVIL LIBERTIES

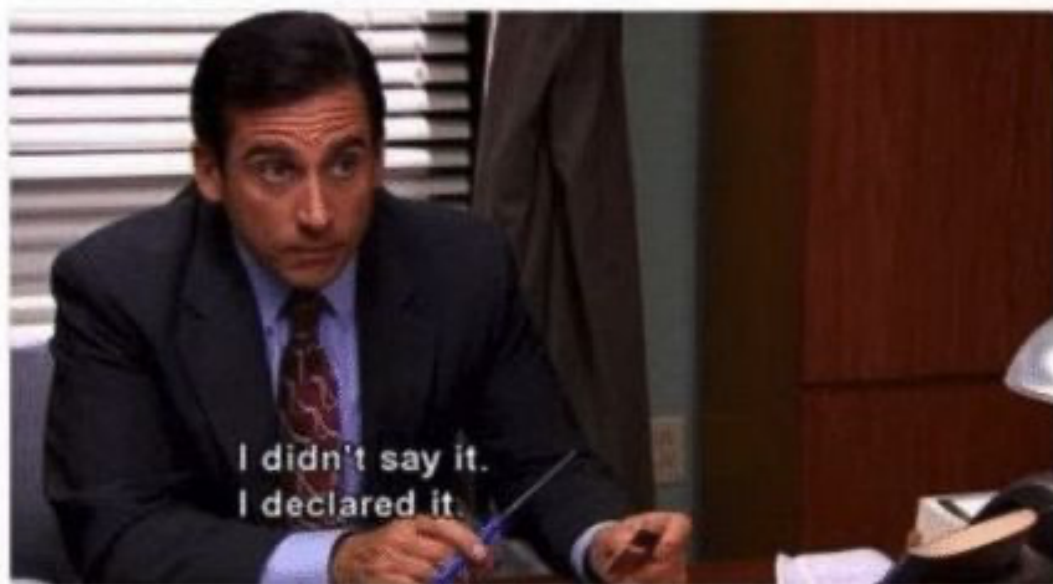
ABOLITION AND  
RECONSTRUCTION

CIVIC VIRTUES/ DISPOSITIONS (c)

July 4th, 1776

British: just saying you're independent  
doesn't make it true

Thomas Jefferson:



# What are Dispositions?

Character Traits, Values, Actions, Attitudes, and Beliefs that are a part of a person's Identity or Behavior.



What Dispositions are our students seeing? What are we modeling?

WELL IN THAT CASE...

ILL SPEAK TO YOU NEVER.

WHOM SHOULD I KILL FIRST

FAKE FRIENDS OR MY ENEMIES

THE PRESIDENTIAL DEBATES  
2020

TRUMP vs BIDEN

HOW TO DEBATE LEFTISTS  
AND DESTROY THEM  
10 RULES FOR WINNING THE ARGUMENT

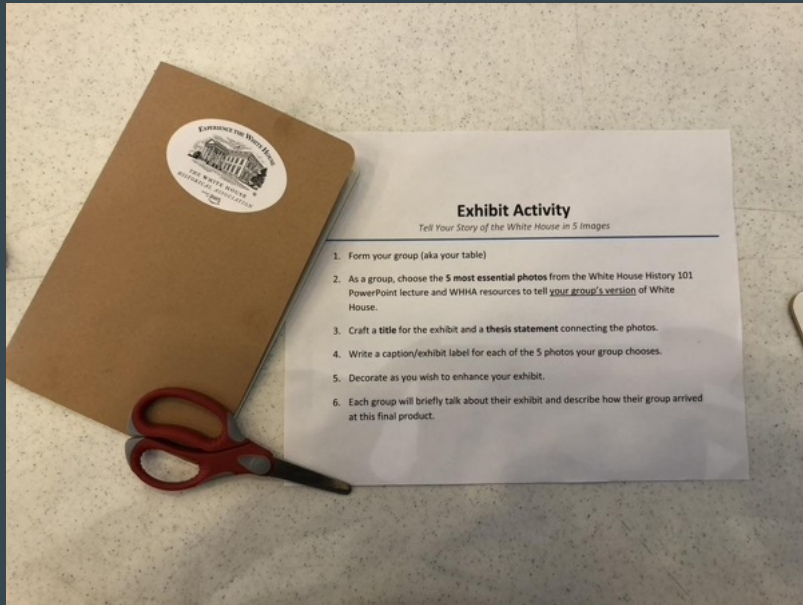
I have an  
opinion.

So did  
Hitler!



# Stepping into Someone Else's Shoes

Left-hand experience



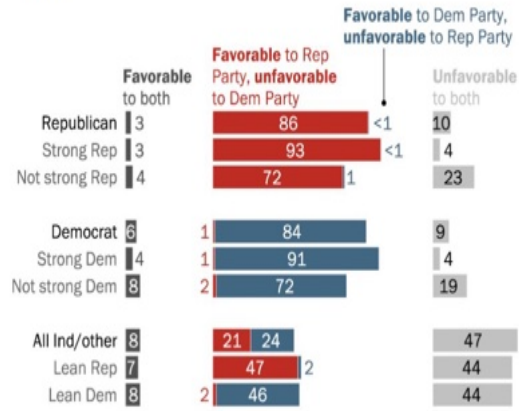
- Exhibit Activity**  
Tell Your Story of the White House in 5 Images
1. Form your group (aka your table)
  2. As a group, choose the **5 most essential photos** from the White House History 101 PowerPoint lecture and WHHA resources to tell your group's version of White House.
  3. Craft a **title** for the exhibit and a **thesis statement** connecting the photos.
  4. Write a caption/exhibit label for each of the 5 photos your group chooses.
  5. Decorate as you wish to enhance your exhibit.
  6. Each group will briefly talk about their exhibit and describe how their group arrived at this final product.

Macular Degeneration - Choroideremia



# Partisans with weaker ties to their party more likely to have unfavorable views of both parties

% who are ...

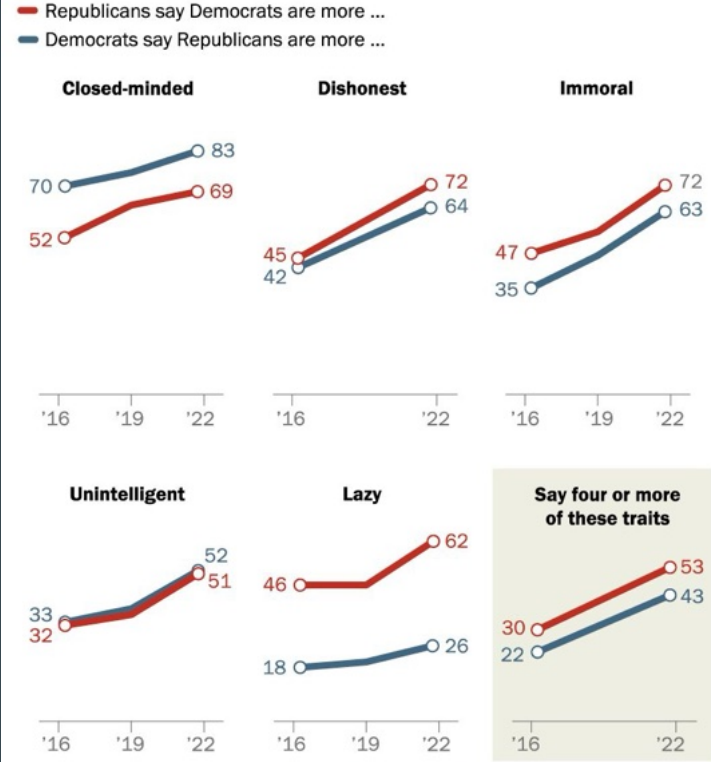


Note: Based on those who rated both the Republican and Democratic parties.  
Source: Survey of U.S. adults conducted June 27-July 4, 2022.

PEW RESEARCH CENTER

# Growing shares of both Republicans and Democrats say members of the other party are more immoral, dishonest, closed-minded than other Americans

% who say members of the **other** party are a lot/somewhat more \_\_\_\_\_ compared to other Americans

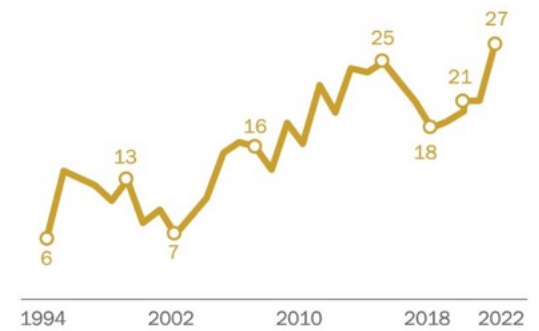


Note: Partisans do not include those who lean to each party.  
Source: Survey of U.S. adults conducted June 27-July 4, 2022.

PEW RESEARCH CENTER

# Share of Americans holding unfavorable views of *both* parties among the highest in decades

% who have an unfavorable view of the Republican and Democratic parties

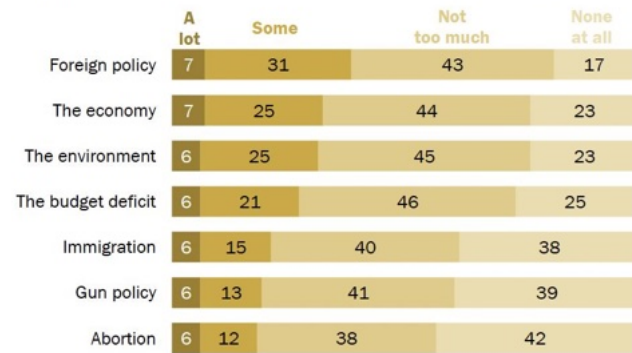


Note: Based on those who rated both the Republican and Democratic parties.  
Source: Yearly averages of survey data from Pew Research Center American Trends Panel (2020-2022) and Pew Research Center phone surveys of U.S. adults (1994-2019).

PEW RESEARCH CENTER

On many issues, Americans see little to no common ground between GOP and Democrats in Washington

% who say there is \_\_\_\_ (of) common ground between the policy positions of Republicans and Democrats in Washington on each of the following issues

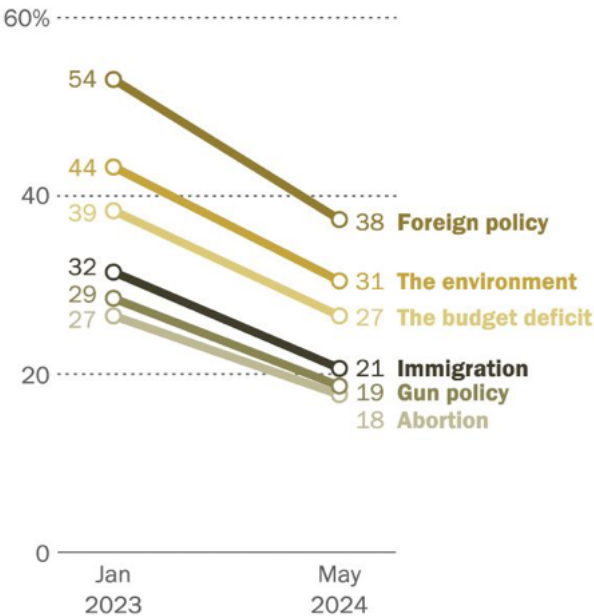


Note: No answer responses not shown.  
Source: Survey of U.S. adults conducted May 13-19, 2024.

PEW RESEARCH CENTER

Fewer Americans see common ground between the parties than last year

% who say there is a lot of/some common ground between the policy positions of Republicans and Democrats in Washington on each of the following issues

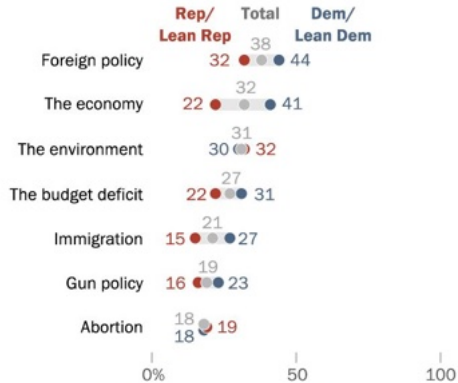


Source: Survey of U.S. adults conducted May 13-19, 2024.

PEW RESEARCH CENTER

On several issues, Republicans and Democrats view the extent of common ground between the parties similarly

% who say there is a lot of/some common ground between the policy positions of Republicans and Democrats in Washington on each of the following issues



Source: Survey of U.S. adults conducted May 13-19, 2024.

PEW RESEARCH CENTER

# Bonds of Affection

“The Constitution is the result of the spirit of amity [love, brotherly love] and mutual deference [respect] which the peculiarity of our political situation rendered indispensable.”

- George Washington

# Bonds of Affection

“We are not enemies, but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection.”

- Abraham Lincoln, “First Inaugural Address of Abraham Lincoln”

# Love Your Enemies

“Overcoming a culture of contempt (mix of hatred and disgust) will require more than a rousing chorus of ‘Kumbaya’ and a basket of platitudes. Building real harmony in the face of difference and disagreement is hard work. Nevertheless, equipped with a new outlook on our culture, a better approach to leadership, the right tools of communication, and a healthy dose of courage, we can bridge the political divides that have proliferated across the country in recent years.”

- Arthur Brooks, *Love Your Enemies*, Introduction

# Civic Charity

“...charity requires a devotion to God [higher power] and care for other human beings where or not those humans veins reciprocate that care or provide some personal gratification.”

“Civic charity, while by definition respectful and caring to all citizens as free beings, is not a principle that will, or needs to, speak to everyone. But given the continuing political and religious convictions of vast members of America today, it is a concept that may be well worth identifying and reviving.”

- Matthew Holland, *Bonds of Affection*, Prologue

What does this look like in the classroom?

# How do we build Civic Charity?

Let's start with something low stakes  
hopefully...



Yankees

Dodgers

**Which Team is the Best?**  
(What is sports?)

Jazz

Lakers

What if I said....

I voted for Trump

What if I said....

I voted for Biden

# How do we build Civic Charity?

Let's start with something low stakes  
hopefully...

# Recommended Knowledge

## **Students:**

- Civil Discussion Guidelines (Parliamentary Procedure)
- Credible resources from both sides of the argument

## **Teachers:**

- Have posted the Discussion Guidelines
- Find provide credible sources
- Engagement strategies
- Basic understanding of both sides of the argument

# Knowledge: Potential Pitfalls

## Teacher:

- Sometimes the procedure takes over the product (simplify steps)
- Non-equitable arguments or not credible (celebrity does not equal credibility)
- Not educated on both sides of the argument

## Student:

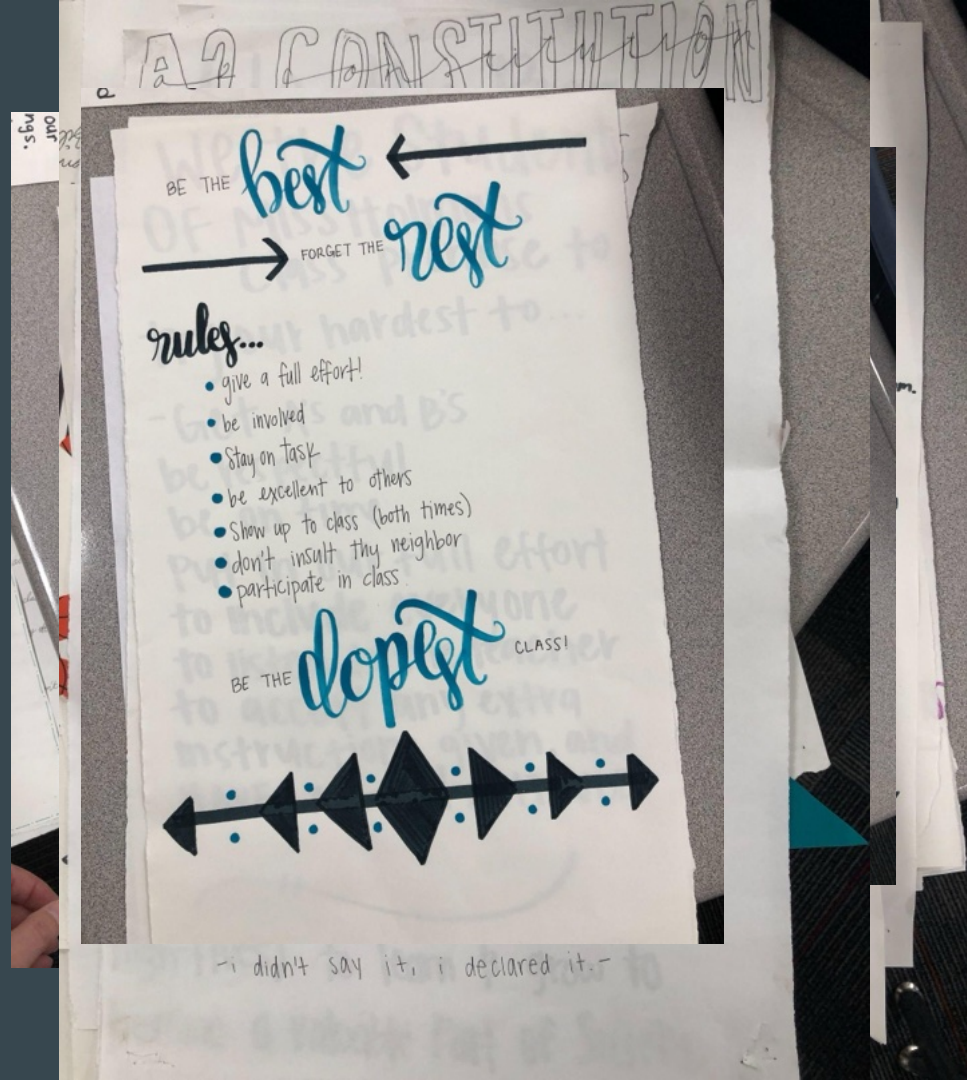
- They don't participate -> make the topic interesting and relevant, assign tasks
- Celebrity does not equal credibility

# Knowledge: Examples

## Classroom Constitution

- Preamble = class mottos or goals
  - Ex. Create a safe learning environment
- Body = how they are going to accomplish those goals
  - Ex. Listen to the ideas of others

## Debating Great Society Programs



# Recommended Skills

## Students:

- They say, You say, I say, We say
- Interpreting texts: Comprehension and crafting an argument
- Active listening: comprehension

## Teachers:

- Referee: Ensure all sides of the argument given equitable time and merit
  - Make sure the kids make their own decisions
  - Be the voice to balance the ideology (liberal/conservative)
- Assign topics
  - Provide rich Primary resources
  - Scaffold text interpretation skills



# Skills: Potential Pitfalls

## Teacher:

- Allow one side to dominate the conversation (unconscious bias)
- Not checking for comprehension skills
- Active listening is not practiced -> model how to navigate those conversations

## Student:

- Active listening is not practiced
- Lack text interpretations skills

# Skills: Examples

CIVIL DISCUSSION <i>skills</i>	
GROUND RULES	Listen to the complete thought Do not interrupt No name-calling
MINDSET	See people as people Do not attack the person Break down the idea or look at the argument
CLARIFY	Seek clarification: This is what I am hearing _____ Is this what you mean _____
EVIDENCE	What is the evidence? Where did you get the evidence? Is the information reliable?
IDEA	Propose a different idea: Would this be possible _____? Can both viewpoints agree to this?
THEY SAY, YOU SAY, I SAY, WE SAY	

@mzholman

They say, You say, I say, We say

Civic Engagement Project  
(Lesson Plan)

Debate Dropping Atomic Bomb



# Recommended Dispositions

## Students:

- Empathy
- Accepting of criticism
  - Don't take offense
- Allowing people to change: Forgiveness
- Agree to find common ground before we agree to disagree

## Teachers:

- Seeking to resolve and compromise and not seeking to win
- Commitment to unbiased
- Passionate enough to get the kids engaged but remove the emotional tie
- Model Student dispositions

# Dispositions: Potential Pitfalls

## Teacher:

- Put too much of their own opinion into the conversation
- Disingenuous

## Student:

- Becoming defensive
- Winning or Fighting is more important than Understanding

# Scalia and RBG



Justice Ruth Bader Ginsburg and Justice Antonin Scalia appear onstage during opening night of the Washington National Opera production of *Ariadne auf Naxos* at The Kennedy Center Opera House, Oct. 2009, in Washington.

# Teaching Dispositions Example

- Teach specific examples of like: kindness, listening, trust, growth mindset...
- Find a video or article and prompt to the students to ignore the content of the argument and look specifically for dispositions on who they are saying or responding to the argument.
- Discuss what you find and model and create expectations for the dispositions.

Source

<https://www.uscourts.gov/educational-resources/educational-activities/setting-ground-rules-civil-discourse-and-difficult>



# Specific Examples to consider

Conversation on the Constitution Breyer and Scalia (Originalist vs Evolutionist) (36 min)

<https://www.youtube.com/watch?v=VGKgIdW55nc>

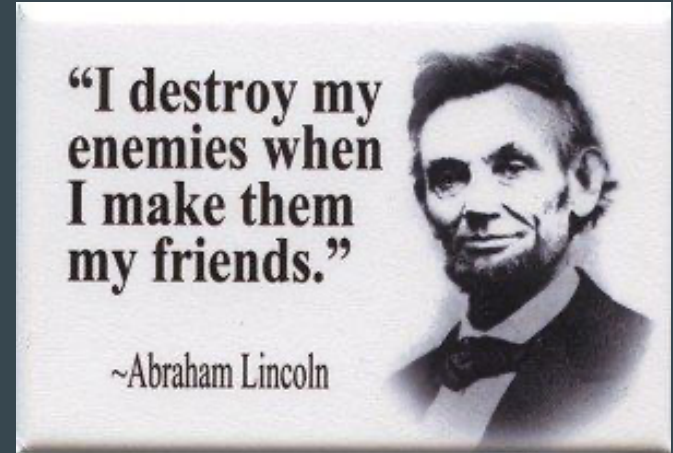
<https://www.youtube.com/watch?v=P5HHaUdVgsw>

[How to win an Argument without making Enemies](#) Trevor Noah

[Dr. King Principles of Non-Violence](#)

The West Wing- The Supremes

Daryl Davis- Why I as a Black man attend KKK Rallies- [Ted Talk](#)



What examples do you use in your class to teach/model the Dispositions of Civility to our students?



# Reflection of the Dispositions of our Classroom?

What are the Dispositions you want in your classroom?

Are you a model of the Dispositions?

How are you intentionally planning to incorporate the practice of those Dispositions into your classroom?



## Four Tezcatlipocas

- 1) Honest Self Reflection
- 2) Listening to Precious Knowledge of Others
- 3) Positive and Creative Action
- 4) Willingness to Change

# Reframing the Debate - Argumentative vs Inquisitive

What are the points your opponent has and what arguments can you use in response?

To

What are the points your opponent has and what questions do you have in response?



Sir Ernest Ryder- Lord Justice of Appeals and Master of Pembroke College at Oxford

# Example of Civil Discussion Gov Spencer Cox and Chris Peterson



# Share Out - So What?

- 1) Reflect on what you've learned this week.
- 2) Take a minute to ponder
- 3) Write down a goal of something you want to accomplish or incorporate into your curriculum.
  - a) When planning your lessons be intentional in Objectives
    - i) Students will KNOW (Knowledge)....
    - ii) Students will DO (Skills)....
    - iii) Students will FEEL (Dispositions)....

# Final Thought

You say, I say Example

- Caesar, Jan 2017

Department	Issue
Justice	Money spent on prisoners - is it a real deterrent
Health & Human Services	Medical marijuana - legalize
Health & Human Services	Family violence - identify the cause
Homeland Security	Immigration - decrease criminal immigration
Health & Human Services	Healthcare is reactive and not proactive
Immigration/ Foreign Affairs	The Wall - decrease illegal -Immigration
Education	What to spend money on?
Justice	Police brutality - BLM
Health & Human Services	Healthcare - Obamacare
Environmental Protection Agency	Pollution - business induced air

# Final Thought

You say, I say Example

- Caesar, Jan 2017

How did we accomplish this kind of discussion?

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