CIVICS EDUCATION OUTLINE

Justice Paul M. Newby

*“A frequent recurrence to fundamental principles is absolutely necessary to preserve the blessings of liberty*.” ~ N.C. Const. of 1776, Declaration of Rights, sec. 21

I. **Your Purpose**

This is your opportunity to educate and inspire.

Who is your audience and what is your goal? Your Theme?

Questions to consider in developing your theme:

What is meant by the statement in the pledge of allegiance: “with liberty and justice for all”?

What is the Rule of Law?

What is distinctive about us as a State, a nation? What are our aspirations? Successes? Failures?

What are our rights? What is the source of our rights?

What are barriers of access to the justice system?

What sustains trust in the justice system? What engenders distrust?

What is the role of government?

What is meant by separation of powers? What are the three branches of government and the function of each? Why three?

Why was North Carolina the 12th state to ratify the U.S. Constitution? Why did we decline initially to ratify the U.S. Constitution?

What is the difference between the state and federal constitutions?

II. **Your story**

Your parents?

Where did you group up?

Schools?

When did you decide to become a lawyer? Why?

Legal practice?

When did you become a judge? Why?

III. **Your work**

What do you like about your job?

What are your challenges?

Tell about some of your cases that illustrate what you wish to accomplish—your Theme.

North Carolina and American Significant Historical Events

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| June 15, 1215 | Magna Carta |
| April 19, 1775 | Battles of Lexington and Concord “the shot heard round the world” |
| May 20, 1775 | Mecklenburg Declaration of Independence (on flag) |
| May 31, 1775 | Mecklenburg Resolves |
| February 27, 1776 | Battle of Moore’s Creek Bridge |
| April 12, 1776 | Halifax Resolves (calling for N.C. delegate at 2nd Continental Congress to support independence) (on flag) |
| December 18, 1776 | Adoption of the first N.C. Constitution |
| 1776 and Before | Superior Courts |
| 1787 | *Bayard v. Singleton* (first reported case of judicial review) |
| September 17, 1787 | U.S. Constitution signed by delegates in secret |
| July-August 1788 | Hillsborough Convention rejected federal Constitution without Bill of Rights |
| November 1789 | N.C. receives proposed Bill of Rights |
| November 21, 1789 | N.C. adoption of U.S. Constitution and becomes the 12th state |
| January 1, 1819 | Supreme Court of N.C. sits for the first time |
| 1835 | State Constitutional Convention |
| December 1865 | N.C. ratifies the 13th Amendment (abolishing slavery) |
| 1868 | Second North Carolina Constitution adopted |
| 1966 | Unified Court System—District Courts |
| 1967 | Court of Appeals |

Local Historical Markers (e.g., James Glascow, First Secretary of State)

Famous North Carolinians:

Three Presidents:

* Andrew Jackson (Union County), born on March 15, 1767
  + Born in the Waxhaws region before the N.C./S.C. border was established
* James K. Polk (Mecklenburg County), born on November 2, 1795
* Andrew Johnson (Raleigh), born on December 29, 1808

Two Supreme Court Justices:

* James Iredell (England/Edenton), born on October 5, 1751
* Alfred Moore (New Hanover County), born on May 21, 1755

Quotes

*“The reward of esteem, respect and gratitude [is] due to those who devote their time and efforts to render the youths of every successive age fit governors for the next.”*

~Thomas Jefferson

*“A popular government, without popular information, or the means of acquiring it, is but a Prologue to a Farce or a Tragedy; or perhaps both. Knowledge will forever govern ignorance. And a people who mean to be their own Governors must arm themselves with the Power which knowledge gives.”*

~James Madison

*“Nor must we omit to mention among the benefits of education the incalculable advantage of training up able counselors to administer the affairs of our country in all its departments, legislative, executive and judiciary, and to bear their proper share in the councils of our national government: nothing more than education advancing the prosperity, the power, and the happiness of a nation.”*

~Thomas Jefferson (Report for University of Virginia, 1818)

*“If a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be.”*

~Thomas Jefferson

*“Wherever the people are well informed they can be trusted with their own government; that whenever things get so far wrong as to attract their notice, they may be relied on to set them to rights.”*

~Thomas Jefferson (to Richard Price, 1789)

*“The worst illiterate is the political illiterate, he doesn’t hear, doesn’t speak, nor participates in the political events. He doesn’t know the cost of life, the price of the bean, of the fish, of the flour, of the rent, of the shoes and of the medicine, all depends on political decisions. The political illiterate is so stupid that he is proud and swells his chest saying that he hates politics. The imbecile doesn’t know that, from his political ignorance is born the prostitute, the abandoned child, and the worst thieves of all, the bad politician, corrupted and flunky of the national and multinational companies.”*

~Bertolt Brecht, playwright (*Mack the Knife* from The Threepenny Opera)

Studies

* Rick Shenkman, Just How Stupid Are We?: Facing the Truth About the American Voter 13-14 (2008).
  + Study by the McCormick Tribune Freedom Museum found that, while 22 percent of Americans could name all five Simpsons from the fictional cartoon family, only 1 in 1,000 people could name all five First Amendment freedoms (freedom of speech, religion, press, assembly and petition for redress of grievances).
* Michael Ford, *Civic Illiteracy: A Threat to the American Dream*, The Huffington Post, Apr. 4, 2012, Updated June 30, 2012, http://www.huffingtonpost.com/michaelford/civicliteracy\_b\_1457635.html.
* 97.5 percent of immigrants pass the naturalization test but only half of natural-born citizens tested passed using a pass/fail standard of 70 percent. One particular area of difficulty for natural-born citizens is the U.S. Constitution and the nation’s legal and political structure. For example, 71 percent did not know that the Constitution is the “supreme law of the land,” 93% percent were unable to select the correct number of amendments to the U.S. Constitution, and only 68 percent knew how many justices are on the Supreme Court.
* Jeff McCall, *What Millennials Consume on Facebook*, Indiana University Center for Civic Literacy, April 17, 2015, http://civicliteracy.iupui.edu/what-millennials-consume-on-facebook/.
  + “A national survey by the First Amendment Center shows that only 14 percent of Americans can name freedom of the press as a freedom articulated in the First Amendment.”
* *High School Civic Education Linked to Voting Participation and Political Knowledge, No Effect on Partisanship or Candidate Selection*, Circle, January 17, 2013, http://www.civicyouth.org/high-school-civic-education-linked-to-voting-participation-and-political-knowledge-no-effect-on-partisanship-or-candidate-selection/.
  + Study done by The Center for Information and Research on Civic Learning and Engagement (CIRCLE) found a direct correlation between civic education and voter participation.

Bibliography:

Magna Carta. Available at <http://www.bl.uk/magnacarta/articles/magna-carta-english-translation>

Mecklenburg Declaration of Independence. Available at <http://www.meckdec.org/declaration/the-text>

Mecklenburg Resolves. Available at <http://www.learnnc.org/lp/editions/nchist-revolution/4263>

Halifax Resolves. Available at <http://ncpedia.org/history/usrevolution/halifax-resolves>

N.C. Const. of 1776, pmbl. ¶ XXI. Available at <http://www.nhinet.org/ccs/docs/nc-1776.htm>

Federalist Papers. Available at <http://thomas.loc.gov/home/histdox/fedpapers.html>

U.S. Const. of 1787. Available at <http://www.ourdocuments.gov/doc.php?doc=9&page=transcript>

*Bayard v. Singleton*, 1 N.C. 5 (1787). Available at <http://files.usgwarchives.net/nc/craven/court/bayard01.txt>

George Washington, Farewell Address (1796). Available at <http://avalon.law.yale.edu/18th_century/washing.asp>

N.C. Const. of 1868. Available at <http://www.ncleg.net/library/Documents/Constitution_1868.pdf>

John V. Orth & Paul Martin Newby, The North Carolina State Constitution (2d ed. 2013).

Alexis de Tocqueville, Democracy in America (5thed. 1972).