

2.6 LET'S BE RESPONSIBLE



FOCUS QUESTIONS:

- What are the purposes and functions of government?
- How are individual rights protected and challenged within the context of majority rule?
- What are the rights and responsibilities of citizens in a constitutional democracy?

STANDARD #6 POWER, AUTHORITY AND GOVERNANCE.

STANDARD #7 PRODUCTION, DISTRIBUTION AND CONSUMPTION.

LESSON OVERVIEW:

This lesson focuses on the preambles of both the United States Constitution and the Basic Law of the Federal Republic of Germany (updated in 1994). Through a textual examination of these two documents, students will understand the functions of government and the principles of democracy as they are delineated in two republican systems. In addition, students will have the opportunity to challenge themselves by researching basic rights of citizenship in both countries.

TEACHER BACKGROUND INFORMATION:

All societies need governance. As a society develops, it organizes itself into a polity to meet its governing needs. Those needs include not only self-preservation but also protecting freedom and promoting a better life. Government is the institution in society with the authority to make and enforce collective decisions that are binding on society and its members. In theoretical terms, the “legal constitution” of a polity is the framework of its governmental institutions and fundamental laws. These include constitutions, bills of rights, legal codes, and important judicial decisions.



TIME:

3 (45-minute Class Periods)

INSTRUCTIONAL RESOURCES:

- Preamble PowerPoint (**PowerPoint 2.6 A on Resource Disc**)
- Basic Civil Rights Handout (**Handout 2.6 B on Resource Disc**)
- Quiz on German Citizens' Rights and Duties (**Handout 2.6 C on Resource Disc**)
- Government Structures Handout: US (**Handout 2.6 D on Resource Disc**)
- Government Structures Handout: Germany (**Handout 2.6 E on Resource Disc**)
- Catrow, D. (2002). *We the Kids: The Preamble to the Constitution of the United States*. New York: Puffin Books.



PROCEDURE:

DAY 1:

- **Anticipatory Set:** The teacher should ask the students to describe the rules that operate in their classroom and in the school and why there are these prescribed procedures. This will vary from classroom to classroom and school to school, but the students should come to the understanding that without these specific rules, there would be a lack of order and decorum, which might interfere with their learning.
- The teacher should explain the purpose of a constitution to students. Most countries have a document in which the basic rules for citizens living together are written down. (One major exception is the United Kingdom.) The United States has a Constitution that was completed and ratified by 1788. It is the highest law in the United States; all other laws come from the Constitution. The Constitution also defines the structure of the government and the functions of the different branches. The Constitution can be changed by an “amendment.” Among the amendments is a list of the rights of the people. It is illegal for the government to violate those rights. As of 2014, there are 27 amendments. Not all of them involve rights, but many do. The first ten amendments are called the Bill of Rights.

Technically, the Federal Republic of Germany has had no constitution since 1949, but rather a “Basic Law” (*Grundgesetz*). The “Basic Law” was not ratified by a vote of the people, but rather by a vote of representatives in the parliaments of the federal states that had been formed in the Western occupation zones and the Parliamentary Council elected by the state parliaments. It took effect on May 23, 1949. In the forty years that followed, the Basic Law proved to be a solid foundation for democracy. After the reunification of Germany on October 3, 1990, this Basic Law has also been valid for the five new federal states and Berlin. Germany is a republic with a federal structure in which the federal states share power and responsibilities with the central government. The relationship between the federal government and the state government is also spelled out in the Basic Law.

- After the teacher discusses with the students the purpose of the preamble of a constitution, he/she should put the following vocabulary exercise on the board (or distribute it as handout to the students). The vocabulary is difficult for many students, so it is important that key words be defined before proceeding any further. This can be achieved either by the distribution of a glossary of terms, or by directing the students to use a dictionary to locate and define these words:
 - US Constitution: domestic, tranquility, defense, welfare, liberty, posterity, ordain
 - German Basic Law: conscious, responsibility, resolve, constituent, self-determination, valid
- Once the vocabulary exercise is completed, the teacher should read aloud, or project the Preamble PowerPoint (**PowerPoint 2.6 A on Resource Disc**). The students should complete the chart, either individually, with a partner, or as a class exercise.

“We, the people of the United States, in order to provide a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general welfare, and secure the blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.”

United States Constitution

“Conscious of their responsibility before God and humankind, animated by the resolve to serve world peace as an equal part of a united Europe, The German people have adopted, by virtue of their constituent power, this Basic Law. The Germans in the Länder of Baden-Württemberg, Bavaria, Berlin, Brandenburg, Bremen, Hamburg, Hesse, Lower Saxony, Mecklenburg-Western Pomerania, North Rhine-Westphalia, Rhineland Palatinate, Saarland, Saxony, Saxony-Anhalt, Schleswig-Holstein and Thuringia have achieved the unity and freedom of Germany in free self-determination. The Basic Law is thus valid for the whole German nation.”

Basic Law of the Federal Republic of Germany (updated 1994)

What is stated about	USA	Germany
Purpose or objective of government		
Role of the people		
Role of individual states in the federal union		
Source of power to create the government		

- Then, the teacher should conclude the activity by having the whole class discuss the similarities and differences between the two preambles and what generalizations they could make about the characteristics of democratic governments.

DAY 2:

Both the US Constitution and the German Basic Law guarantee basic civil rights. The teacher should cut out and distribute to each student one article/amendment from either Germany or the United States taken from the Basic Civil Rights Handout (**Handout 2.6 B on Resource Disc**). Students should refer to the following websites appropriate to their countries to gain a better understanding of the article/amendment they were given:



United States Constitution: http://www.constitution.org/constit_.htm



German Basic Law, *Grundgesetz*: <http://www.iuscomp.org/gla/statutes/GG.htm>

After they have read about the article/amendment, the students should attempt to find a student with a comparable article/amendment in the other government. The teacher should facilitate a discussion about the similarities and differences between the two systems. For example, German Basic Law, Article 7 guarantees that all children have a right to education under state supervision. However, in the United States Constitution, the right to education is not explicitly stated. In the United States Constitution, Amendment 1 of the Bill of Rights combines several rights that appear as different articles in the German Basic Law.

DAY 3 (for Upper Classes):

- Citizenship is seen as the relationship between an individual and his nation. In most countries, citizenship is not determined by place of birth, but by having a parent who is a citizen of the nation. However, there are also processes by which a person who resides in a nation can become a citizen through what is called naturalization. According to the Fourteenth Amendment to the United States Constitution, citizenship may be

acquired automatically at birth or through the process of naturalization: “All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.” – United States Constitution

The situation in Germany was different until 1999, when the law changed, stipulating that “children born on or after 1 January 2000 to non-German parents acquire German citizenship at birth if at least one parent: has a permanent residence permit (and has had this status for at least three years); and has been residing in Germany for at least eight years.” – German Basic Law

- Naturalization procedures require the applicant to pass a test. On Oct. 1, 2008, the U.S. Citizenship and Immigration Services (USCIS) created a new citizenship test consisting of 10 of 100 possible questions. The interviewer reads the questions in English and the applicant must answer in English. In order to pass, at least 6 of the 10 questions must be answered correctly. The questions are in three broad categories: American Government, American History and Integrated Civics.

In September 2008, Germany introduced a new multiple-choice citizenship test that every immigrant has to pass to gain German citizenship. In all, there are 33 questions chosen from a listing of 310. Ten questions are related specifically to the region where the applicant is currently living. Would-be citizens are required to answer 17 questions correctly. As well as taking the test, migrants must fulfill other conditions such as having sufficient command of the German language, no criminal record and an income independent of social welfare.

- In both the United States and Germany, special classes are often offered in municipalities to prepare residents for the Citizenship Tests. The teacher should distribute the Quiz on German Citizens’ Rights and Duties (**Handout 2.6 C on Resource Disc**) derived from materials from a German citizenship orientation course. The teacher should assign one or two questions to a pair of students, who, using the Internet, should research the answers to the questions. Then, they should see if the same responses apply in the United States. When all the students have completed the assignment, the teacher should facilitate a complete class discussion.

WHOLE GROUP REFLECTION:

- The teacher should ask the students to reflect on the “contract” between a government and its citizens. What does possessing citizenship mean to an individual? What are the benefits one enjoys as a citizen? What are the responsibilities or duties the citizen has to do?

MODIFICATIONS:

- As a variation of Day 1, the Constitutional Preamble section, the teacher may wish to read to the students, *We the Kids: The Preamble to the Constitution of the United States* by David Catrow and discuss the vocabulary. Using this book as a model, the teacher should instruct the students to create a similar book to illustrate the preamble of the German Basic Law. This may be completed in pairs or larger groups.
- Rather than completing the Quiz on German Citizens’ Rights and Duties (**Handout 2.6 C on Resource Disc**) (which will be too challenging for younger students), the teacher may select one or two of the fifteen questions and use the questions as springboards for discussion. The class, as a whole, could speculate as to the response and using the Internet, determine the answers for both the United States and Germany.
- The teacher may wish to expand the comparisons by introducing other nations, such as Canada or the United Kingdom.



EXTENSIONS:

- In addition to comparing and contrasting the preambles of the United States Constitution and the Basic Law of the Federal Republic of Germany, the teacher may expand this to the structure of government, including the three branches: executive, legislative and judiciary. The teacher should reference: **Government Structures Handout: US and Germany (Handout 2.6 D and Handout 2.6 E on Resource Disc)**.
- Although there are so-called Third Parties, the United States is essentially a two-party political system, in which the Democrats and Republicans compete for the majority in each house of the legislature as well as the White House (the Presidency). Germany is a multi-party political system, which results in coalition or bloc governments. Students, either individually or with a partner, should research the similarities and differences, and present their findings as either a chart or a PowerPoint.

Sources:

United States Constitution (n.d.) Retrieved 1.7.13 from http://www.constitution.org/constit_.htm

Bundesministerium des Innern (n.d.) Retrieved 1.7.13 from http://www.bmi.bund.de/SharedDocs/Downloads/EN/Broschueren/Migration_und_Integration_en.html

BBC News (n.d.) Retrieved 1.7.13 from <http://news.bbc.co.uk/2/hi/europe/7597534.stm>