

THE FOUNDING PRINCIPLES ACT

This analysis clearly and conclusively demonstrates that the new AP U.S. History Framework does NOT meet the requirements of North Carolina's Founding Principles Act and is consequently poorly aligned with North Carolina's American History I course. It is strongly recommended that the North Carolina State Board of Education pass resolutions that:

- . Admonish the College Board for creating a course that is so obviously misaligned with the North Carolina Founding Principles Act; and
- . Make the American History I course a prerequisite for taking the AP U.S. History course.

PART I: THE FOUNDING PRINCIPLES ACT AND THE AP U.S. HISTORY FRAMEWORK

The North Carolina Founding Principles Act (HB588) mandates the teaching of a course in "American History I - Founding Principles" that includes instruction in specific documents and principles listed below. Analysis clearly demonstrates that North Carolina Principles Act mandated documents and principles are NOT adequately presented in the current College Board AP U.S. History (APUSH) Framework. A North Carolina student who is taught the College Board APUSH Framework is quite unlikely to have been fully taught in any reasonable detail, the key principles articulated by the North Carolina Principles Act.

I. KEY DOCUMENTS

A. The Preamble to the Founding Principles Act

The Preamble to the Founding Principles Act specifically requires a course that provides students with "a clear understanding of the Founding Philosophy and the Founding Principles of government for a free people, which are found in the Declaration of Independence, the United States Constitution, the *Federalist Papers*, and the writings of the Founders."

B. The Declaration of Independence

1. What is in the Framework?

The Framework's entire coverage of the Declaration of Independence is contained in this sentence on page 44: "The colonists' belief in the superiority of republican self-government based on the natural rights of people found its clearest expression in Thomas Paine's *Common Sense* and in the Declaration of Independence."

2. What is NOT in the Framework?

This single sentence clearly does not meet "the clear understanding" standard required by the Founding Principles Act. For example, the Framework fails to answer these fundamental questions: What was America's Founding Philosophy? What are the "Creator-endowed inalienable rights?" Who wrote the Declaration of Independence?

C. The United States Constitution

1. What is in the Framework?

The Framework's entire coverage of the United States Constitution is contained in these three sentences found on page 45:

"After experiencing the limitations of the Articles of Confederation, American political leaders wrote a new Constitution based on the principles of federalism and separation of powers, crafted a Bill of Rights, and continued their debates about the proper balance between liberty and order."

Delegates from the states worked through a series of compromises to form a Constitution for a new national government while providing limits on federal power.

Calls during the ratification process for greater guarantees of rights resulted in the addition of a Bill of Rights shortly after the Constitution was adopted.

2. What is NOT in the Framework?

These three general statements clearly do not meet "the clear understanding" standard required by the Founding Principles Act. For example, the Framework does not define the terms "federalism" or "separation of powers." The Framework also omits such key constitutional concepts as separation of powers, checks and

balances, and representative government. And finally, the Framework completely omits the role of leaders such as Benjamin Franklin, James Madison, George Washington, Roger Sherman and James Wilson in the writing and ratification of the Constitution.

D. *The Federalist Papers*

1. What is in the Framework?

Nothing. The Framework completely omits the *Federalist Papers*.

2. What is NOT in the Framework?

The Federalist Papers! This egregious omission is a clear violation of North Carolina's Founding Principles Act.

E. Writings of the Founders

1. What is in the Framework?

Common Sense and the Declaration of Independence are the only writings of the Founders specifically mentioned in the Framework.

2. What is NOT in the Framework?

The Founding Principles Act specifically requires a discussion of the Mayflower Compact. The Framework fails to mention the Pilgrims and thus omits the Mayflower Compact. This is yet another egregious violation of the Founding Principles Act.

In addition, the Founding Principles Act requires some discussion of "the writings of the Founders." The Framework fails to include any of the following seminal documents: The Fundamental Orders of Connecticut, New England town meetings, Poy's "Report on the House of Burgesses Proceedings," Mason's draft of the Virginia Declaration

Burgesses Proceedings," the Mecklenburg Declaration, and key essays in the *Federalist Papers*.

II. TEN KEY AMERICAN PRINCIPLES

A. The Creator-endowed inalienable rights of the people

1. What is in the Framework?

The Framework contains very general references to "the political thought of the Enlightenment" and "the natural rights of the people."

2. What is NOT in the Framework?

The concept of "Creator-endowed inalienable rights" is at the very heart of our national creed. Jefferson and our nation's Founders understood "inalienable rights" as fixed rights given to us by our Creator rather than by government. The emphasis on our Creator is crucial because it shows that our inalienable rights are permanent just as the Creator is permanent. Government did not give the people these rights and thus cannot take them away. The Framework's failure to discuss these central concepts is yet another egregious omission.

B. Structure of government, separation of powers with checks and balances

1. What is in the Framework?

The Framework contains general references to "the meaning and interpretation of the Constitution," "republican thought," "the principles of federalism and separation of powers," and the "primacy of the judiciary."

2. What is NOT in the Framework?

The Framework fails to explain that the Framers accepted Montesquieu's position that power must be used to balance power. The Framers believed that separating power into legislative, executive, and judicial branches would provide an indispensable defense against tyranny. The Framework

fails to explain that the three branches of government are tied together by an elaborate system of checks and balances that is designed to implement the Framers' goal of setting power against power to thwart tyranny and restrain irresponsible majorities.

C. Frequent and free elections in a representative government

1. What is in the Framework?

The Framework contains general references to "republican thought," "the development of political institutions and cultural values," and "the nation's transformation to a more participatory democracy."

2. What is NOT in the Framework?

Majority rule is one of the hallmarks of a democratic system. The Framework fails to explain the role of frequent and free elections in creating a democratic system.

D. Rule of law

1. What is in the Framework?

The Framework contains vague references to "republican thought" and "the meaning and interpretation of the Constitution."

2. What is NOT in the Framework?

The Framework fails to mention the Magna Carta, the Mecklenburg Declaration, and other seminal documents that exemplify the development of the rule of law. The Framework fails to state that rule of law is a fundamental legal principle that law should govern a nation. In the United States the Constitution is the supreme law of the land.

E. Equal justice under the law

1. What is in the Framework?

The Framework contains general references to "the meaning and interpretation of the Constitution," "civil rights activism

in the 20th Century,” and “equal protection of the laws.”

2. What is NOT in the Framework?

The phrase “equal justice under the law” is engraved on the front of the United States Supreme Court building. The Framework fails to discuss the origin and importance of this key concept of American law.

F. Private property rights

1. What is in the Framework?

The Framework contains very vague references to “cultural values,” “debates over political values,” and “the protection of private property” in the Northwest Territory.

2. What is NOT in the Framework?

The Founders placed great emphasis upon private property rights. For example, John Adams said, “The moment the idea is admitted into society that property is not as sacred as the law of God, and that there is not a force of law and public justice to protect it, anarchy and tyranny commence.” The Framework’s vague references fail to explain the meaning and importance of this key concept.

G. Federalism

1. What is in the Framework?

The Framework contains general references to “the meaning and interpretation of the Constitution,” “the federal government’s role in U.S. political, social, and economic life,” “limits on federal power,” “the relationship between the national government and the states.”

2. What is NOT in the Framework?

The Framework fails to define the term “federalism” and fails to include any mention of the *Federalist Papers*. As a result, the Framework fails to explain that the Founders chose to balance order and freedom by creating a federal system that assigned powers to the national government while reserving other powers

to the states. This is an egregious omission that clearly violates North Carolina's Founding Principles Act.

H. Due Process

1. What is in the Framework?

The Framework does NOT use the term "due process." It does contain vague references to "the meaning and interpretation of the Constitution," "the development of political institutions and cultural values," and "patterns of culture, laws, institutions, and governance."

2. What is NOT in the Framework?

Due process is the legal requirement that the state must respect all the legal rights that are owed to a person. Issued in 1215, the Magna Carta promised due process to all free men. This essential legal concept then became part of the "rights of Englishmen" protected by the Founders. The Framework fails to mention the Magna Carta and fails to include the concept of due process. This is yet another egregious omission that clearly violates North Carolina's Founding Principle's Act.

I. Individual rights as set forth in the Bill of Rights

1. What is in the Framework?

The Framework states that "American political leaders crafted a Bill of Rights." It also contains the general statement that "civil rights and civil liberties have influenced political life from the early 20th century through the early 21st century."

2. What is NOT in the Framework?

The Framework does acknowledge that American leaders "crafted a Bill of Rights." However, the Framework fails to meet the standard set forth in the Founding Principles Act of listing and discussing the "individual rights set forth in the Bill of Rights."

J. Individual responsibility

1. What is in the Framework?

The Framework contains general statements “Enlightenment beliefs,” “cultural values,” and “colonial experiences of self-government.”

2. What is NOT in the Framework?

The Framework fails to provide a concrete discussion of the concept of individual responsibility. Paine’s *The Crisis*, Tocqueville’s *Democracy in America* and Kennedy’s Inaugural Address all contain important discussion of this concept. However, none of these seminal documents are in the Framework.

**PART II
ELEMENTS OF AMERICAN HISTORY I, THE FOUNDING PRINCIPLES
THAT ARE NOT SPECIFICALLY STATED IN THE AP U.S. HISTORY
FRAMEWORK**

- 1. The Preamble to the North Carolina Constitution**
- 2. The Mayflower Compact**
- 3. The national motto**
- 4. The National Anthem**
- 5. The Pledge of Allegiance**
- 6. The Protestant Reformation**
- 7. Mercantilism**
- 8. Defeat of the Spanish Armada**
- 9. Lewis and Clark expedition**
- 10. Quakers**
- 11. Transcendentalism**
- 12. War of 1812**
- 13. XYZ Affair**
- 14. Alien and Sedition Acts**
- 15. Hartford Convention**
- 16. Scalawags**
- 17. Carpetbaggers**
- 18. War Hawks**
- 19. Ku Klux Klan**
- 20. City on a Hill**
- 21. Exodusters**
- 22. Embargo of 1807**
- 23. Multiple perceptions of the “American Dream”**

PART III
REQUIRED ELEMENTS OF THE AP U.S. HISTORY FRAMEWORK THAT
ARE NOT SPECIFICALLY STATED IN NORTH CAROLINA’S AMERICAN
HISTORY I, THE FOUNDING PRINCIPLES COURSE

PERIOD 1: 1491 - 1607

The College Board Framework calls for teachers to devote 5 percent of their classroom time or 9 lessons to the period from 1491 to 1607. Like most states, the North Carolina Standards begin with the European settlements along the Atlantic coast during the 17th Century.

The College Board’s decision to devote 5 percent of the course to the period from 1491 to 1607 did not happen by accident. The unelected College Board curriculum writers use this time period to establish their theme that “Many Europeans developed a belief in white superiority to justify their subjugation of Africans and American Indians, using several different rationales.” The theme of “white superiority” and the “subjugation of Africans and American Indians” plays a key role in the College Board Framework.

PERIOD 2: 1607 - 1754

1. The development of “a rigid racial hierarchy” in the English colonies. (page 36)
2. A “strong belief in British racial and cultural superiority” (page 37).
3. Spanish colonizing efforts in North America, particularly the Pueblo Revolt. (page 30)
4. “Atlantic World commercial, religious, philosophical, and political interactions among Europeans, Africans, and American native peoples.” (page 39)
5. The “emergence of a trans-Atlantic print culture” was one of several factors that promoted Anglicization in the British colonies. (page 40)

PERIOD 3: 1754 - 1800

6. “Throughout the second half of the 18th Century, various American Indian groups repeatedly evaluated and adjusted their alliances with Europeans, other tribes, and the new United States government.” (page 42)
7. Chief Little Turtle and the Western Confederacy (page 42)
8. “The American Revolution and the ideals set forth in the Declaration of Independence had reverberations in France, Haiti, and Latin America, inspiring future rebellions.” (page 46)
9. March of the Paxton Boys (page 46)
10. Corridos (page 47)

11. Architecture of Spanish missions (page 47)
12. "The Constitution's failure to precisely define the relationship between American Indian tribes and the national government..." (page 47)
13. Republican motherhood (page 48)

PERIOD 4: 1800 - 1848

14. *McCulloch v. Maryland* (page 49)
15. *Worcester v. Georgia* (page 49)
16. "Many white Americans in the South asserted their regional identity through pride in the institution of slavery..." (page 50)
17. Charles G. Finney (page 50)
18. Hudson River School (page 50)
19. John James Audubon (page 50)
20. Slave music (page 50)

PERIOD 5: 1844 - 1877

21. "The idea of Manifest Destiny, which asserted U.S. power in the Western Hemisphere and supported U.S. expansion westward, was built on a belief in white racial superiority and a sense of American cultural superiority, and helped to shape the era's political debates." (page 55)
22. Mormons (page 56)
28. Sand Creek Massacre (page 56)
29. "States' rights, nullification, and racist stereotyping provided the foundation for the Southern defense of slavery as a positive good." (page 56)
30. Minstrel shows (page 57)
31. Hiram Revels and Blanche K. Bruce (page 59)

PART IV

RECOMMENDATIONS

It is recommended that the North Carolina State Board of Education:

1. Pass a resolution admonishing the College Board for the failure of the redesigned AP U.S. History Framework to satisfactorily meet the requirements of North Carolina's Founding Principles Act.
2. Pass a resolution making American History I, The Founding Principles a prerequisite for taking AP U.S. History.

