



### CIVIC ILLITERACY AND THE RULE OF LAW by THE HONORABLE DON R. WILLETT

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The past few years have been a wild ride, and I say that as a former rodeo cowboy. America has endured a confluence of overlapping crises: pandemic, recession, impeachment, social unrest. Arguably, the most normal part of recent times has been *Tiger King*.

But we look for silver linings where we can. According to a 2021 survey, 51 percent of American adults can now name all three branches of government — up from 39 percent in 2020 (which was previously the all-time high).<sup>1</sup> But truth be told, our nation still has an abysmal civics IQ.

Two hundred thirty-five years ago, a throng of Philadelphians waited outside Independence Hall. And like most Philly crowds, it was tense. Our infant nation was floundering. The former colonies had yet to coalesce into a country.

On the Constitutional Convention's final day, Benjamin Franklin delivered the last great speech of his life, urging adoption of the new constitution "with all its faults." And Franklin found plenty of faults. He wanted federal judges to be elected, for example. But Franklin, 81 years old, flexed his considerable diplomatic skills and implored his fellow delegates to "doubt a little of his own infallibility." "The older I grow," said Franklin, "the more apt I am to doubt my own Judgment, and to pay more Respect to the Judgment of others."<sup>2</sup> We could all use a refreshing dose of that intellectual modesty today — more humility and less superiority.

We all know what happened next. A triumphant Franklin exited Independence Hall and was approached by Mrs. Elizabeth Powel, who blurted out, "Well Doctor, what have we got, a republic or a monarchy?" And Franklin delivered his sharp-witted rejoinder, "A republic, if you can keep it."<sup>3</sup> The survival of freedom depends on people, not parchment.

Eleven years earlier, the Declaration — our original birth announcement; the greatest breakup letter of all time — had proclaimed that we wanted government, as Lincoln put it four score and seven years later, "of the people, by the people, for the people."<sup>4</sup> Our Founders, imperfect but inspired, aimed for something transcendent: not to enshrine a process — democracy — but to enshrine a promise — liberty.

Fast forward 200-plus years, and most Americans now say they do not trust any branch of government. The Father of the Country would be dismayed. Washington made clear in his first inaugural address that this is on us: "The preservation of the sacred fire of liberty, and the destiny of the Republican model of Government, are . . . staked on the experiment entrusted to the hands of the American people." And frankly, Washington was pessimistic, confiding to another delegate, "I do not expect the Constitution to last for more than 20 years."<sup>5</sup>

But civic illiteracy — obliviousness to the "what" and "why" of America — accelerates disattachment. Amid today's pandemic is something endemic: a deep misunderstanding of American self-government....**But there is a ray of hope** | [Continue reading in \*Judicature\*](#)

# INVOLVE, INFORM, INSPIRE

by REBECCA FANNING

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My first civics teacher was my father. He was a World War II veteran and a POW

for 16 months, three of which were spent in extreme winter conditions on what is known as "The March," a death march across Germany. After his war experience, he became a lawyer devoted to public service and a father who relished lively dinner-table debates with his daughters. He infused our conversations with civics lessons, always emphasizing the importance of participating in democracy.

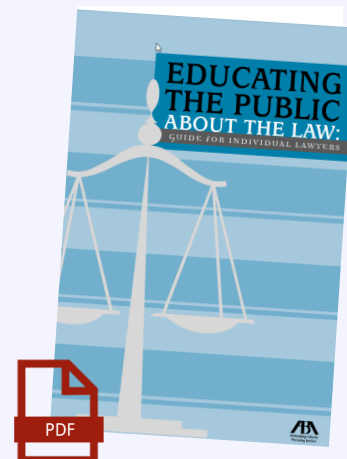
My first experiential civics lesson was in a courthouse. At seven years old, I sat in the gallery of an Idaho courtroom not unlike the one in *To Kill a Mockingbird* and was mesmerized by my dad's dramatically delivered arguments to a jury.

It was the first of many trials that enthralled me. I could see, hear, and even feel the judges' and attorneys' commitment to following the law and to improving the system of justice. The people I saw in action were up front about the challenges that they faced and that women and minorities experienced. They didn't give me a rose-colored view. Instead, they invited me to join the journey toward justice. They encouraged me to invest myself in helping the courts get better and do better.

Today, I am a civics educator for the federal courts. For more than 30 years — 10 years in the state courts and 20-plus years in the federal courts — I have developed interactive courtroom programs and helped judges and lawyers ignite the next generation's interest in our justice system. In most of these programs, young people learn about the courts by taking realistic roles in simulations of trial and appellate proceedings. Our efforts are informed by the knowledge that the middle and high school students of today will be tomorrow's jurors,



The American Bar Association's Division for Public Education published a **practical guide** for attorneys who want to get involved with civics education.



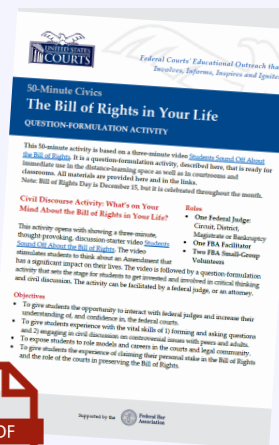
And, an entire section of the **ABA's website** provides resources on civics education for attorneys. Look to the page for **articles** about civics education, and check out the collection of **lessons and activities** geared toward judges and attorneys who want to participate in civics education for students.

judges, court staff, lawyers, litigants, and journalists.

What is the key to breaking through to students in a cynical era? Quite simply, it is human connection. I am convinced **the most impactful programs first involve students, then inform and inspire them.** My personal and professional experiences have taught me that if civics is based on human connection — if students can see and relate to people who look like them — the caring adults in the room can make a lasting impression. An educational interaction with the courts before leaving high school, not as an extra, but as an essential, should be every student’s rite of passage to adult citizenship. | [Continue reading in \*Judicature\*](#)



The Administrative Office of the U.S. Courts and the Federal Bar Association teamed up on a **bulletin** filled with practical tips and ready-made resources.



## Want to be a ray of hope? Ready to involve, inform, and inspire? HERE'S HOW:

- The following pages are a collection of links to ready-made civics education activities.
- The activities have participation roles for attorneys in a range of forums.
- Many of the websites organize the activities by category, time allowed for the activity, or age range of the students. Let's go!



And, led by the Federal Courts' National Education Outreach Manager Rebecca Fanning, an entire section of the **U.S. Courts website** provides resources on civics education. Look to the page for classroom and courtroom-ready activities—many of which have participation roles for attorneys.



### United States Constitution

- [Educational Activities](#)  
Find educational activities at [www.uscourts.gov](http://www.uscourts.gov)
- View [America's Founding Documents](#) at the National Archives, including the [U.S. Constitution](#).
- [Interactive Constitution](#)  
Explore the U.S. Constitution and what it means today, from the National Constitution Center
- Visit [ConSource](#) to view historical sources related to the creation, ratification, and amendment of the U.S. Constitution

### Federal Judiciary

The websites of the federal courts, maintained by the Administrative Office of the U.S. Courts, and of the Federal Judicial Center, contain extensive historical and current information about federal judges and the federal court system.

- [Federal Judiciary Homepage](#)
- [Federal Judicial Center](#)
- [Inside the Federal Courts](#)
- [Court Role and Structure](#)
- [Comparing Federal and State Courts](#)
  
- **United States Supreme Court**  
[Landmark Cases](#)  
[Activities](#)
- **United States Court of Appeals**  
[About the Courts of Appeals](#)  
[Activities](#)

### Additional Compilations of Teaching Materials

- [Federal Judges Association Civic Education](#)
- [Federal Judges Association Classroom Activities](#)
- [Federal Judges Association Additional Civics Education Resources](#)
- [Federal Judicial Center Teaching and Civic Outreach Resources](#)



### Judges

- [Biographical Directory of Federal Judges](#)  
A searchable database with biographical information about all life-tenured judges since 1789.
- [Pathways to the Bench](#)  
Individual judges talk about the personal, character-building challenges they have faced that prepared them to serve on the bench.

### Financial Education

- [National Endowment for Financial Education](#)  
Provides financial education and practical information to people at all financial levels, including:
  - Youth and adult financial education resources
  - Training tools from the classroom to the workplace.
- [High School Financial Planning Program](#)  
Free financial literacy program specifically focused on basic personal finance skills that are relevant to the lives of teens in Grades 8-12
- [JumpStart Coalition for Personal Financial Literacy](#)  
Resources to prepare youth for life-long financial success.
- [My Money](#)  
Resources about personal financial management from the Financial Literacy and Education Commission

## Questions?



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