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Is America a Successful Democracy: A Critical Inquiry

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Overview

This unit is intended to introduce students to the concept of American democracy and the United States Constitution. The original audience for the unit is high school aged United States History students. Students at this level have previously studied United States History. The hope is that this unit will approach the idea of democracy from a few unique perspectives; first looking at what defines "democracy" and "successful democracies", second exploring the intentions of governments in general, third comparing possible democratic styles that America didn't adopt, and fourth rating the successfulness of our American democracy. In so doing, students will be given the opportunity to reflect upon the democracy in which they live. The key question posed is "are we a successful democracy?" The unit makes a comprehensive study of the question by recreating the conventional context in which our democratic system is studied, making it a global comparative study that addresses both past and present perspectives. In this way teachers may teach democracy outside of the bubble of the American past and appeal to the desires of students to create a relevant and present-focused discussion on topics previously considered archaic and extraneous.

Rationale

America is an idea. Not only is it an idea, it is a collective system of beliefs that is shared and reinforced by the people who live within the country's physical boundaries. While every citizen may not be in total agreement with his or her neighbor on the fine print of the American idea, the fundamental foundation of what it means to be American is an idea into which all Americans have invested and within whose parameters they are willing to live their lives. America, then, is a very strong and deeply rooted idea that has existed for centuries and shows no sign of dissipating in the centuries to come.

What are the essential elements of this idea? They must be numerous so that they give a well-defined characterization of America. At the same time they must be few so that there is a greater chance that all Americans will agree on them. They must be specific so that people will have a better understanding of what it means to be American. But they must also be general so that many different personal feelings can be

encompassed under them. These elements must also be comprehensible by people who do not live under the American system of beliefs; that is to say, people who do not necessarily identify as believing the American idea can still identify the idea as American.

It is not the intention of this unit to explore all of the essential elements of America. Instead, the purpose is to look at one element - democracy. While not every American will unanimously agree that pure democracy is an essential element of the American idea, it must be remembered that pure democracy is not being discussed here and that democracy in some form would be an accepted element. One of the difficulties that many Americans face is to have to defend democracy as an element of the American idea without a clear understanding of what American democracy truly is. Students in our schools are constantly told to uphold the ideal of American democracy and to play their appropriate role within it, but these definitions are frequently unclear to many. With this in mind, the objective here is to properly define democracy within the bounds of the American experiment using both scholarly and comparative methods of definition and also to determine the level of success with which America has carried out its democratic aims.

Defining Democracy

While many people in many languages have tried to conceive of a useful and applicable definition for democracy over the centuries, it is to the Greeks that we turn. The creators of the first democratic experiments, the Greeks combined two of their words - "demo" meaning "people" and "kratos" meaning "power" - to form the "demokratia" that describes their system of government. The city-states in ancient Greece practiced a form of government in which the powers of the state were derived from the people living in that state. Without delving into the varied aspects of the many Greek city-states, the reason this definition is useful is that it anchors the discussion of what a democracy can be; classical democracy is a system of government where the powers of the state are derived from the people who live in that state.

The definition above may seem simplistic, but in many ways it is the basis of democratic thought. Robert Dahl states quite eloquently in his book *On Democracy* "...we use the word democracy to refer both to a goal or ideal and to an actuality that is only a partial attainment of the goal." ¹ In much the same way, power derived from the people is a primary goal of democracy just as much as it alone is not enough to consider a state wholly democratic.

One modern definition of democracy sets out a list of criteria that proves that the system of government in place allows for the people to be the driving force behind their government. These five parameters create a framework within which a society must function in order to consider itself democratic. In list form they are: effective participation, voting equality, enlightened understanding, control of the agenda, inclusion of adults. ² Of course, these standards have only recently been set forth, decades later than the establishment of many accepted democracies. However the criteria are helpful in that they provide attainable goals for democratizing countries and guidelines for helping to strengthen weakening and static democracies.

Democracy as it is popularly defined today also consists of a set of institutions that encourage opportunities for people to participate within the structure of their government. ³ The six political institutions that a large-scale (country-level) democracy requires are: elected officials; free, fair, and frequent elections; freedom of expression; alternative sources of information; associational autonomy (the right to form organizations such as political parties); inclusive citizenship (universal adult suffrage). ⁴ Without going into exhaustive detail of each, the institutions are meant to help fulfill the criteria of what a successful democracy should be. It is important to note the distinction here; listed above are the institutions within a government structure that

encourage the "demokratia" - power derived from the people. Each of these institutions executes at least one of Dahl's five criteria for a democratic process.

The Purposes of Democratic Government

With democracy and success both provisionally defined, it falls upon philosophers and politicians to illuminate the purpose of forming democratic governments. The Greek city-states created their democracies to invest the people with the power of effectively running society. With the fall of democracy in Greece came the rise of republics in Rome. In contrast to the word "democracy", the Roman republic derived its name from "res" meaning "thing" and "publicus" meaning "of the people". While power is a thing, the word "republic" grants a wider range of objects of which the people hold sway. A republic ends up being a governmental body that represents the will of the people; no longer are the people the power, their representation takes that place.

Many people equate both the Greek idea of democracy and the Roman republic as having a similar purpose. Whether considering the assemblies of Athenians or the Roman Senate, both bodies meant to provide liberty to their people as best as they could. Taking this into account, what can be said to be the purpose of governments in general and democratic governments more specifically? What institutions guarantee liberty to a people? Can liberty be guaranteed?

When writing the US Constitution, the Framers set out specific goals for the document. The preamble to the Constitution outlines clearly the purposes of creating a governmental system in America. The six objects for creating an American government are to: form a more perfect union; establish justice; ensure domestic tranquility; provide for the common defense; promote the general welfare; secure the blessings of liberty to ourselves and our posterity. Here, it seems, is a clear summary of what a democratic government should aim to do. But how did the Framers choose these six goals for their government?

Arguably, the Framers of the US Constitution did not have a good living example of a democratic government from which to work. ⁵ This being the case, much of what is written about democratic governments comes after the Constitution was written and is based somewhat on what was observed in American democratic practice. Even the *Federalist Papers*, widely accepted as great essays on democracy, were written either in defense of principles already outlined in the Constitution or as guides to aid interpretation of the document. If this is the case, why do we look to these authors for their explanations of governmental theory and philosophy?

John Stuart Mill

Once the American democracy was formed, many other countries soon fell into their own forms of democratic government. With all of these new democracies floating around, each of which had its own particular idiosyncrasies, it stood to reason that intellectuals would start to comment upon what was desirable and objectionable about these governments. Men such as John Stuart Mill seized the opportunity to help governments strive toward ideal administration of their societies by commenting on what they perceived to be the primary objects of governments.

In his *On Liberty*, Mill gives a charged summary of the interplay between government and individuals and the roles of each to ensure that the integrity of liberty is maintained. "The maxims are, first, that the individual is not accountable to society for his actions, in so far as these concern the interests of no person but himself....Secondly, that for such actions as are prejudicial to the interests of others, the individual is accountable, and may be subjected either to social or to legal punishments, if society is of opinion that the one or the other is requisite for its protection." ⁶ This observation sets up the individual as the driving force in

society, very much an ideal in line with our previous definition of the word.

However, Mill also poses interesting questions in regard to responsibility. One of the primary ideas in his essay is the concept of the prevention of harm. He presents several examples that oscillate between placing the onus on the individual or his government in preventing harm. In true philosophical fashion, he doesn't give a clear-cut resolution of his position, but he does illuminate a few quandaries: Where is responsibility in the law? Does it fall on the wrong-doer or the enabler? And finally, what role does the government have to protect you from yourself? ⁷ These issues are central to any study of government and especially to the delicate role of a democratic government in providing liberty while at the same time not taking it away. Dahl resolves this nicely saying, "Simply put, the issue is not whether a government can design all its laws so that none ever injures the interests of any citizen. No government, not even a democratic government, could uphold such a claim. The issue is whether in the long run a democratic process is likely to do less harm to the fundamental rights and interests of its citizens than any nondemocratic alternative." ⁸ This helps to more clearly focus the responsibility of a democratic government in its relation to its citizens.

Even though Mill presents preventing harm as a conundrum, he leans towards calling for democratic governments to be less restrictive. This is evidenced by his other main point: that the chief task of governments is to give parameters for people to solve their own problems. "...To secure as much of the advantages of centralized power and intelligence, as can be had without turning into governmental channels too great a proportion of the general activity, is one of the most difficult and complicated questions in the art of government." ⁹ In this statement, Mill warns against the tendency of federal systems of government - such as the United States - to treat the process of governing as a top-down, paternalistic exercise. Instead, governments should hold on to the ideals of democracy that allow for a bottom-up approach, fulfilling one of Dahl's criteria that the people set their own agendas in truly democratic governments.

Alexander Hamilton and James Madison, Federalist 9 and 10

Serving as perhaps the best commentary on the American democratic experiment are the *Federalist Papers*, penned in defense of ratification of the US Constitution in New York over the course of a year between 1787 and 1788. Both Alexander Hamilton and James Madison were key authors, along with John Jay. Madison - also known as the father of the Constitution - gave the most stirring justifications for ratification, but he also outlined many elements of the intentions of the Constitution that weren't explicit. In this way, Madison helped to define key aspects of the lasting legacy of the American democratic experiment, including the distinction that our democracy was in fact a confederate republic.

In *Federalist 10*, Madison clearly summarizes his views of government: "The protection of these faculties [the reason of man, his opinions, and his passions] is the first object of government." ¹⁰ While all at once a sweeping and general task, the protection of men's passions, opinions, and reasons is very close to Mill's argument that would be made over 70 years later. Mill cannot seem to give a concrete plan of action, but Madison, with Hamilton's help, elucidates how the American form of government proposed in the Constitution provides safeguards to curtail this problem.

As previously stated, the Framers of the US Constitution freely admitted to creating a government based on democratic principles but more closely resembling a republic. ¹¹ The reason for this was both the size of the nation (population and area) and the existence of well-established state units within the national borders. A pure democracy as practiced by the Greeks would not be desirable under these circumstances, nor would it be possible to execute. The confederate republic model was adopted to address matters of fair representation of

states and conflicting interests as well as the protection of minority rights (insomuch as they could be protected) from majority tyranny. ¹² Both Hamilton and Madison verify that these issues are addressed - albeit with necessary imperfections - in the US Constitution.

In *Federalist 9*, Hamilton touts that the Constitution provides many mechanisms to safeguard the common people that were not thought possible in previous governmental systems. "The regular distribution of power into distinct departments; the introduction of legislative balances and checks; the institution of courts composed of judges holding their offices during good behavior; the representation of people in the legislature by deputies of their own election: these are wholly new discoveries, or have made their principal progress towards perfection in modern times." ¹³ Separation of powers, checks and balances, republicanism, popular sovereignty; these were all new ideas, and they help to promote effective participation according to Dahl's criteria. Furthermore, it proves that democratic ideals can be served on a large scale by a republican (representative) government, possibly better than a pure democracy could with similar constraints.

Madison, in response to Hamilton's essay discussed here, brings up what could be seen as a stopping point: factions within government that could promote tyranny of the majority. "The smaller the society," he says, "...the more easily [the majority] will concert and execute their plans of oppression." This presents a bleak message to many in favor of promoting democracy, and truly seems to be an argument against efforts of democratization. In his next breath, however, Madison provides hope: "Extend the sphere and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength and to act in unison with each other." ¹⁴ What can be seen here is the basis for creating a loyal opposition, a pluralist society that ensures opportunities for the inclusion of all citizens and their viewpoints at one time or another. ¹⁵

Shapiro and the Principle of Affected Interest

The definition of the loyal opposition in society is a group that is marginalized because of its minority status on an issue but still has options to participate because of the chance that they will become the majority on another issue. Because of this, citizens rarely opt out of participation in government action due to the chance that they will eventually be a part of the majority. When the system of loyal opposition is absent, the majority consistently negates the participation of the minority. Ian Shapiro very clearly states in *Democratic Justice* that encountering this situation in a supposedly democratic society is "unacceptable." ¹⁶ In fact, this situation could potentially cause a breakdown in democratic processes altogether.

When decisions are made that affect an entire group - whether that group is a small organization, a town, or a country - the decisions are called collective actions. There are a few ways to make collective actions, some more democratic than others. Dahl defines one democratic approach: "1) ...before a law is enacted you and all other citizens will have an opportunity to make your views known. 2) You will be guaranteed opportunities for discussion, deliberation, negotiation, and compromise that in the best circumstances might lead to a law that everyone will find satisfactory. 3) In the more likely event that unanimity cannot be achieved, the proposed law that has the greatest number of supporters will be enacted." ¹⁷ This process covers two of his democratic criteria solidly - voting equality and enlightened understanding - and if it is repeated enough times for a variety of issues it will ultimately allow for loyal opposition as well which then includes effective participation in the list.

Some collective actions are by definition very undemocratic and so Shapiro introduces a rule of thumb to

encourage more democratic collective action. Using the Greek definition of "democracy" and the Latin definition of "republic" simultaneously, we notice that they both share "people" as a root word; both forms of government rely on the populous to exist. In short, "...everyone affected by the operation of a particular domain of civil society should be presumed to have a say in its governance." ¹⁸ This is the principle of affected interest. Affected interest changes collective actions into collective self-government. Having the people craft their decisions through democratic processes such as the one suggested above by Dahl crosses into the realm of self-government and leaves potential despotism and tyranny of the majority behind.

To briefly summarize, both in a democracy and a republic the purpose is to grant liberty to the people. While this might seem like an easy task, many factors including self-interest, despotism, and tyranny of the majority make it difficult to grant liberty to all of the people all of the time. A good government, then, pays attention to a few key points: trying to prevent harm; giving the people the right and opportunity to maneuver society; protecting the opinions and passions of humanity; creating a loyal opposition; allowing for collective self-government. Supported by the case of the United States, intellectuals have posited that a democratic-republic could potentially be the best way to serve the people's liberty considering all of these points. "Yet among the countries most comparable to the United States and where democratic institutions have long existed without breakdown, not one has adopted our American constitutional system." ¹⁹ For these countries that formed their democratic governments after 1789, what other options were more compelling?

What Options Do Democracies Have?

In his *A Preface to Democratic Theory*, Robert Dahl suggests that it is not the Constitution that has kept the United States democratic; instead, the inherent democratic spirit of its people has validated the existence of the US Constitution. ²⁰ If that is the case - if a society such as the US is inherently democratic in nature - then why do societies feel the need to adopt and implement a standardized set of rules for carrying out their democratic aims? Furthermore, why are societies compelled to adhere to these rules, even (especially?) in times of crisis? The following looks at options that various countries have explored in order to create democratic governments and addresses the dilemma of what came first - democracy or government. ²¹

Written or Unwritten Constitution?

As proposed in the conundrum above, do societies that are inherently democratic and wish to live democratically need a written constitution? The short answer is no, because not all democratic systems have written constitutions. However, there are pros to writing down a society's intentions for founding a government. One obvious argument in favor of a physical document is that there is always going to be something to reference. Interpretation of a written document deals more in semantics than in intentions. Overall, written constitutions exist in an overwhelming majority of democratic states today and the phenomenon of unwritten constitutions stems from historical anomalies during the formation of the current government such as in Great Britain or Israel.

Direct or Representative Democracy?

Ancient Greek city-states such as Athens practiced a form of democracy known as "direct democracy", referring to the fact that decisions being made for the good of society were being made directly by the members of society in an open forum. "Representative democracy", on the other hand, presumes that citizens will elect representatives who will assemble apart from society at large to make decisions for the good of society, reporting back and keeping the interests of their constituents in mind. While it has been argued that

representative democracy is inherently undemocratic - it takes final decision-making out of the hands of the people - arguments in favor of each option take into consideration the size of the state and the restrictive nature of assembly. In general, larger states with many people tend towards implementing representative democracies, allowing for town meetings at the local level to maintain the benefits of direct democracy. Small states and towns favor direct democracy because a smaller society creates a less restrictive environment. In both cases, universal suffrage helps to assure that the processes remain more democratic.

Federal or Unitary System?

A unitary system of government gives supreme legislative power to the central or national government. Contrarily, federal systems maintain the autonomy of smaller units within the nation (states, provinces, cantons, etc.) and national legislation cannot - within reason - be imposed on those units without the permission of the smaller government there. Usually a federal system is implemented when a nation is formed by unifying previously independent states into a confederation. Most modern democratic countries have unitary systems because the smaller regions within the nation were not used to self-government or were engineered without consideration of the interests of the populations within those borders. The pros and cons of both systems are relative to the history of the individual nation and the previous autonomy of states within that nation.

Presidential or Parliamentary System?

The birth of the presidency (most famously practiced in America) was influenced by the British model of monarchical separation of powers - the monarch as executive, parliament as legislative, and the courts as judiciary. Each branch was independent of the other and possessed specific powers to check and balance each of the other branches. With the rebirth of Britain's constitution in the early 19th century came the birth of the prime minister. Owing allegiance to and serving at the pleasure of the majority party in parliament, the prime minister is the figurehead in parliamentary systems. Although the role of a prime minister is similar to that of a president, the minister lacks separation from the legislative branch. The pros and cons of the two systems are relative to the political stability of the country in which they are implemented.

First-Past-the-Post or Proportional Representation?

In racing, the first person across the finish line wins. In first-past-the-post election systems, the candidate with the most votes wins the election. This consequentially sets up a majority/minority government - the winners and the losers. Proportional representation allows for many different parties to share a proportion of the power in government, hence the name. For example, if a political party wins 30 percent of the popular vote, 30 percent of the seats in the legislature will be filled by members of that party. This system brings in players with varied interests into the political arena, validating the agendas of smaller interest groups in society and creating an equal opportunity for the agenda of the government to shift. The number of political parties in a nation is a direct result of implementing a FPTP (first-past-the-post) or PR (proportional representation) system as evidenced below.

Two-Party or Multiparty System?

A FPTP system will generally favor two parties vying for control of the government. PR systems allow for many parties - three, four, or more - to take part in the process of governing a country; PR systems also encourage coalition building which highlights the commonalities of competing parties. Some pros and cons: 1) two-party systems can result in deadlock when one party controls the legislature and another party controls the

executive branch; 2) multiparty systems can result in gridlock when parties refuse to form coalitions and alliances are broken; 3) two-party systems create efficient governments where the majority party's agenda can be addressed with little interference from the minority; 4) multiparty systems allow minority parties to be real players in proposing and implementing legislation, keeping constituents from many corners happy. With this in mind, nations looking to move towards democracy need to assess the existence of differing interests in society before deciding to implement FPTP or PR systems of government.

Unicameral or Bicameral Legislature?

Just as a unicycle has one wheel and a bicycle two, unicameral legislatures are composed of one house whereas bicameral legislatures are composed of two houses. Separation within the legislative branch of government is not a necessity. For the most part, federal systems favor bicameral legislatures and unitary systems favor unicameral legislatures. The reason for this stems from the autonomy given to states in a federal system, requiring that the smaller entities within the nation have the opportunity to represent themselves fairly in government at the national level. Unitary systems can streamline their legislative processes by passing legislation through only one set of representatives; in unitary systems, the national interest is arguably everybody's interest. In short, bicameralism is only an asset if there are two levels of interest - the states versus the nation as a whole.

Equality in Representation or Not?

Arguably, the most democratic way of distributing power in government is to grant each citizen the same ability to cast a vote and have that vote recognized. "One man, one vote" as it is traditionally termed helps to ensure that all citizens are equally represented in the legislature. To use America as an example, the House of Representatives determines state representation based on the number of citizens living in each state. States are proportionally represented according to population; less populated states have fewer representatives than states with a greater population. This seems fair, but it gives larger entities more power, making automatic minorities out of smaller entities. A way to solve this is by introducing non-proportional representation as the US does in the Senate. Each entity within the nation gets the same number of representatives regardless of population. While this may seem more equal than the previous example, it robs citizens in larger states from the protection of "one man, one vote"; citizens in smaller states could get anywhere from 2 to 200 votes for every citizen's vote in a larger state. While fair does not always equal democratic, the question remains about whose interests are being protected when unequal representation is employed.

The Results of the American Democratic Experiment

America's constitution looks very different from most other democratic nations today. Assuming the vast array of options available to democracies and the myriad combinations possible, "democracy" can be many different things at the same time for different nations. The question begs to be asked, however: how democratic can any national truly be? Robert Dahl hazards an answer in *On Democracy*, "In almost all, perhaps all, organizations everywhere there is some room for some democracy; and in almost all democratic countries there is considerable room for more democracy." ²² With this in mind, how democratic can the American system of government be considered as it stands today?

The Electoral and Representative Processes

The American system of representation developed as a response to the large population and area of the country. The Constitutional Convention over 200 years ago in Philadelphia tried to build in safeguards against

ordinary citizens electing unqualified officials by providing for indirect election of Senators and the President. As the American voter has become more able to educate him or herself when it comes to candidates and as the government moved through the Progressive Era of the early 20th century towards inclusion and transparency, the Constitution changed to include the direct election of Senators. As America decides whether to bring the election of the President down to the popular level, it is important to remember that representative governments constructed with the proper provisions for inclusion can enhance the evolution of a democratic state. "What matters is that, through these public elections...: the public good is achieved, citizen preferences are represented, governments become accountable, citizen participation in political life is maximized, economic equality is enhanced, rationality is implemented, economic conditions improve, and so on." ²³ As long as the electorate controls the evolution of government through the election process, democracy is in action.

Judicial Review of Law

The judicial branch of the government in America was intended to be a small voice in the large national government. Tocqueville makes light of the role of the courts in American society, claiming that all people would look to the judiciary as a last resort for solving problems; legislatures were much more effective at preventing harm than the judiciary. ²⁴ Very early on, the Supreme Court advocated itself not only as a tribunal for when government goes sour, but also as a review board to check up on the laws created by Congress. Judicial Review has manifested itself as both the voice of the people against a tyrannical legislature and the voice of the government in its efforts to protect the long-term interests of its citizens. The allegedly unbiased court draws its power from the fact that both the people and the other branches of government respect its verdicts. This can arguably be seen as a testament to the ability of the court to uphold the democratic ideals that both sides value. Once the judiciary veers from this course, it is possible to think that the country would retaliate by restructuring the institution to reflect more democratic aims.

The Amendment Process

In order for democracy to evolve in America, the Constitution must be a living document. The amendment process - spearheaded by the adoption of the Bill of Rights after the Constitutional Convention - ensures that the American system of government can change to address the needs of its citizens and to approach a more democratic ideal. "To promise democratic rights in writing, in law, or even in a constitutional document is not enough. The rights must be effectively enforced and effectively available to citizens in practice." ²⁵ This statement can help explain why the amendment process is so difficult; for America to provide the rights protected in the Constitution, it has to have the ability and desire to do so. Many original elements in the Constitution such as slavery, suffrage, and civil rights were undemocratic and needed to be amended. However, changing the Constitution on a whim negates the weight of the document. Long debates, campaigns, and other democratic processes help to increase the significance of the final outcome - the amendment - and to ensure that the rights requested will be guaranteed.

Political Parties and Other Institutions

James Madison was the earliest critic of splintering the American people into interest groups labeled as political parties. He believed the institution would tear the nation into factions incapable of compromising for the common good. As the government grew older, as citizens took sides in political debates, and as political parties became an institution in every sense of the word, Madison reneged on his previous assumptions. As Robert Dahl asserted in his primary criticism of Madison's early notion, as long as a loyal opposition exists

political parties are a good thing for governments to have. At their best, they keep the populace informed, active, and excited, providing an outlet between elections for mobilizing ideas and resources. At their worst, they are mired in shady business and prevent transparency in the workings of government. ²⁶ Reform efforts have centered upon monetary issues in the hope that clean money will make for clean politicking. The reality is that interest groups serve many different interests; all subjective and all falling on the shaky spectrum of good and bad.

Objectives

The intention of this unit is to serve as an alternative study of the United States Constitution in an 11th grade American History course. The curriculum in Philadelphia provides American History at three grades levels: 5th, 8th, and 11th. The belief is that teachers will increase the intensity of the coursework and move from a surface treatment of topics and concepts to a more in-depth study of America on a global scale. To put it succinctly, 5th grade history addresses the "what and how", 8th grade addresses the "why", and 11th grade asks "what's the significance?" A critical inquiry allows students to delve into the significance of several topics surrounding the need for government and the structure of democracy. In this way, the significance of the US Constitution can be discussed and assessed.

Upon completing this unit, students should understand several concepts: why societies create government structures, what it means to have and implement a democratic government, the wide spectrum of democracies that exist in the world, and the specific construction of the American constitutional democracy as it exists today. As students go through the unit it is expected that they will come back to the focusing question "are we a successful democracy?" In this way, students will constantly connect the different concepts learned in order that they may reach a specific goal. While other interesting knowledge will be picked up, the purpose of the unit is to test the validity of the idea that America is the great democratic experiment and that our longevity is a testament to our success. By asking the right questions, students will become critical of popular American thought that tends to look at our democracy in a vacuum and use comparative methods to rate our democratic system against other established democracies and scholarly criteria of successful democracies. This also introduces the concepts of bias and propaganda, although such topics will not be specifically addressed in the body of the unit.

The culmination of this unit will be in the form of a report card on democracies. Just as a report card in school is a summation of progress for the year to our students, this report card will serve as a way to rate the progress of our American democratic experiment. It is essential that students remember that our way of life is always in flux, that they should not take for granted the stability of today because it was born of the chaos of yesterday and is leading us towards the uncertainty of tomorrow. Also, by treating our democracy as a case study in the grander spectrum of democratic societies the world over, students reinforce the notion that we do not live in a bubble, that our decisions affect others and that the actions of others affect our society. By taking the study of the US Constitution out of its traditional vacuum, teachers can trend towards teaching American History through a global lens. This allows students to be critical, proud, embarrassed, educated, and ultimately active American citizens.

Strategies

Because the purpose of this unit focuses around a critical inquiry, the strategies used to address the objectives compel students to ask questions and - upon coming up with an answer - question those answers in an effort to get to the root of the focusing question. In order to approach a suitable answer in reference to whether America is a successful democracy, many different concepts will be introduced with varied points of view expressed by several different authors. While lecture will certainly be employed, it is essential that students have experience grappling with period and contemporary texts. What follows are some strategies with specific resources mentioned to help teachers match relevant material to the desired concept.

Matching and Categorizing Democracy Criteria and Institutional Requirements

In order for students to truly grasp the meaning of American democracy they must be able to define "democracy" and give examples of how America has adapted that concept. While part of the unit will focus on activating the prior knowledge of students in regards to what we call democracy today, the main focus is on using criteria developed by the political scientist Robert Dahl to categorize American institutions and rhetoric as more or less democratic. Dahl gives two methods of measurement that are ideally combined to generate a more comprehensive spectrum of democratic potential and practice. These two measurements - discussed here in the rationale and as well as in *On Democracy* - are the basis for establishing a working definition of democracy for the purposes of this unit.

While Dahl's democratic criteria and institutional requirements are perfect for helping to organize students' thoughts on American Constitutional democracy, many students need better tools for understanding the references made by Dahl. For example, one of Dahl's criteria is effective participation. Explaining this concept to students might reach some of them, but many need a more concrete example to really comprehend what effective participation encompasses in a democracy. Thus Dahl's other set of standards - the institutional requirements of democratic countries - provides models of what concrete governmental practices help to fulfill the five criteria. As per our example, effective participation can be measured by a government's willingness to provide freedom of expression to its people.

Linking these two sets of criteria together offers students a different way of approaching a potentially confusing topic. Taking the conceptual principles of ideally democratic governments and bolstering that information with concrete institutional examples gives students the opportunity to go further in their task of defining democracy. They not only have surface standards, they also have the tools necessary to critically look at their own democracy and other established and burgeoning democracies. They can use these tools to gain perspective on how governments build either restrictive or permissive democracies and on the consequences of such choices.

Jigsaw of Intentions and Purposes of Government and Democracy

Engaging with sources from any given time period enhances students' understanding of the time period. This blanket statement can be proven true or false depending upon the method in which those sources are introduced to a class. If students are simply given period literature with no context and no purpose, chances are that no understanding will take place. If, on the other hand, the period texts being used are set up as competing viewpoints on a single topic then students are required to truly engage with the material and use critical thinking skills to form their own opinions on the subject. A jigsaw is one effective way to divide the task

of reading many different texts while also requiring students to interact with all of the different viewpoints offered by the chosen pieces.

Considering the topic of the intentions and purposes of government and democracy, the task of providing competing views seems fairly easy; teachers may choose from many authors and pieces. However it is important to address a wide array of student needs and to appeal to different levels of comprehension in the classroom. Jigsaws allow teachers to select text excerpts of varying length and difficulty so that high achieving students may be challenged and low-performing students can be brought up to a proficient level. It is sometimes helpful to use both text and visuals to appeal to different types of learners within the same classroom. For this topic, finding a visual proves difficult, but there are many passages that provide varied levels of vocabulary to engage every learner.

The focusing question of the jigsaw will be "why do societies form governments?" Excerpts will be taken from Plato's *Republic*, John Stuart Mill's *On Liberty*, Madison and Hamilton's conversation in *Federalist Papers 9 and 10*, and Abraham Lincoln's immortal speech *The Gettysburg Address*. A more detailed description of which segments should be used can be found in the Classroom Activities section. Following from the focusing question, groups of students will be asked to look closely at their assigned text and decide not only what makes society want to organize a government according to the author, but also what responsibilities a government has to the people it governs. Once each group has worked through their own excerpts, the students will switch and share information from their analysis with students who analyzed a different piece. This jigsaw provides a well-rounded perspective on the topic and helps the class to come close to answering the focusing question by employing all of the varying viewpoints in the texts.

Position Papers on Comparative Democratic Models

As proven by the Frayer model for defining words and concepts, people learn about things by identifying what it is and what it isn't. By the end of this unit, students should be able to judge levels of democracy not only by identifying characteristics of their own American democracy but also by examining what the American experiment lacks compared to other democracies existing in the world today. The position papers ask students to use one of the comparisons discussed in the rationale above and debate the pros and cons of the options presented. Furthermore, students will be asked their opinion as to whether or not America made a good decision in choosing to pursue one of the options over the other.

The paper will be formatted in five-paragraph form in order to maintain the expectation that high school students should be writing concisely and clearly with limited space on a given topic. The first paragraph will introduce the two options and present a thesis as to which of the two is a more democratic choice. The second and third paragraphs outline the pros and cons of the two choices, making sure to highlight specific examples of how each option is implemented in America and other democratic countries today. The fourth paragraph introduces the student's opinion of which alternative promotes a more democratic form of government. Lastly, the fifth paragraph summarizes the arguments made in the essay, reflecting upon America's chosen style of democracy.

Position papers allow students to exercise their critical thinking, research, and persuasive essay skills all at once. As with many of the other strategies discussed in this section, the position paper forces students to interact with the material presented in class through lecture and readings. The added bonus is that students are also asked to form their own opinions, incorporating the element of personal investment that can help to hook students who would otherwise find the material boring and out of their grasp. This topic specifically brings in another component of Social Studies education - connecting past events to the present and future.

Allowing students to comment on what they see in the world today and validating their opinions because they are backed up with research sets a positive tone of acceptance and scholarship in the classroom.

Children's Book on the Results of the American Democratic Experiment

One of the true tests for having learned something is being able to teach it to others. Many students at the high school level are looking to create a bridge between the confusing language used in many textbooks and the simpler language that teachers use to make the material accessible. Having older students generate a children's book on what they learn is a good way to let students build that language bridge by themselves. They learn to convey an idea concisely and to use illustrations to supply nuances that the simple language can't always translate. This results in higher level thinking on the part of the students writing and illustrating the book and can also be useful for elementary teachers if the final products are shared with younger students.

The children's book assignment has students looking at the current results of America's democratic experiment and deciding where the institutions and processes we practice fall on the democratic spectrum. Using Dahl's criteria as a comparison, students will consider how Judicial Review, political parties, elections and representatives, and the amendment process all either help or hinder the growth of democracy in America. Students will be separated into groups and each group will have an institution with which to work. The goal is to describe the role of the institution in American government today as clearly as possible (illustrations should be used) and then to judge whether the institution facilitates the democratic process or encumbers movement towards a more democratic state. The language should be accessible to younger audiences and students should create their pages with the hope of teaching American government to a kindergarten or first grade class.

Having students work in groups to complete their pages allows for many different viewpoints to be considered for the opinion portion of the book. Students are not likely to engage in an activity where they are forced to regurgitate information that they have already learned - even if it is a good way to assess what they know. Taking the assignment a step further and asking for students to opine on what they have observed in the workings of the government brings interest to the fore. As an assessment tool, the opinion portion of the children's book allows teachers to see where the "public opinion" of the class lies and provides an opportunity to discuss the differences between how the US Constitution has outlined the role of the government and how a presidential administration might interpret the role of the government. The material brought up in the book is also a good way to bridge into election year conversation or to debate the merits of deliberative democracy (see Fishkin resource in bibliography).

Report Card on American Democracy

Perhaps the most important objective of this unit is to assess the success of the American democratic experiment. The reasoning behind this is not to criticize America's government; instead, students should learn to analyze the society in which they live with a clear picture of the rest of the world in front of them. The intention of the unit is to look at the roots of democracy, the first modern democracy, and more recent democracies with the object of ascertaining how close modern states come to reaching democratic ideals. While some of the assessment will be comparative by nature, American democracy can and should be judged against its own principles and how well it executes the democratic standards it sets for itself.

As with any assessment tool, students should understand that there are two ways to measure something: group comparison and personal growth. Both forms of assessment have their merits, but when referring back

to the focusing question of the unit, "are we a successful democracy?" students should decide whether it is fair to pit America against other countries or if America should be judged by how well it meets scholarly agreed upon standards. A good compromise is to rate a few democratic nations separately against the standards with the intention of placing all of the countries on a "spectrum" of democracy. The appendix to the *Democracy Sourcebook* gives a few good ways to measure the democratic level of an individual state. A sample report card to be used with this unit is included in the appendices below. If the attached report card is used, students should be encouraged to write an essay detailing the explanations they give for the grades and how that reflects upon the democratic nature of the country in question.

The greatest skill that teachers can impart to their students is the ability to look at the world with a critical eye, assess biases, and make informed decisions with the materials at hand. Just as students are graded at the end of a term or year, so too should our government. It is important to remember that the objective of grading is to isolate things done well and things that need improvement in order to better focus the next term or year of growth. Today's students are the policy makers of tomorrow and should be encouraged to critically assess the direction in which our country is headed with a plan in mind for maintaining and improving democratic functionality.

Classroom Activities

What follows are lessons that serve to bring the unit to life. These lessons are a snapshot and do not take the teacher from the beginning to the end of the unit. The first lesson of the unit is included here. Teachers should format the class to the personal needs of the students and should feel free to add or subtract any step in the process. Other possible lesson ideas are addressed in the Strategies section of this unit.

Lesson One: Defining Democracy

The objective of this lesson is for students to come up with their own definition of "democracy" and to compare that definition with several historical and scholarly models of democracies in practice. This lesson serves as the introduction to the unit and will feature reciprocal teaching techniques as well as lecture. The lesson should last for about two 45-minute periods. The standards addressed in this lesson are 5.1C, 5.1E, 5.3A, 8.3B, 8.3C, 8.4B, and 8.4C.

Pre-class assignments are meant to activate prior knowledge in the students. The obvious pre-class question for the first day of this lesson asks students "what is a democracy?" Students will provide a variety of answers, at which time a working definition which the majority of the class may agree upon should be created. This definition will probably resemble the governmental structure of the US. The Greek definition of "democracy" along with the Athenian example should then be shared with the class. Because the wording is simple in nature, students should be asked what "power derived from the people" entails. A discussion will ensue; midway through the discussion, the definition of "republic" should be shared along with the Roman example of a Senate. With both democracy and republic defined, students should make arguments for which model best fits their agreed upon definition of democracy from the beginning of class. After a short informal debate, it should be revealed to students that America was founded on the principles of both democracy and republicanism. According to the students' definition and with the knowledge that America was intended to be a democratic-republic, students should be asked what elements a modern democratic nation should possess.

The compilation of this list, whether as a whole class or in small groups, should go to the end of the period. Homework in preparation for tomorrow should be to have students give justification for why each element on the list helps foster democratic ideals.

Day two begins with a review of last night's homework. As students are sharing their justifications, each element of democracy from yesterday's discussion should be put up on one side of the board. After this is complete, Robert Dahl's 5 democratic criteria should be written on the other side of the board. Students should be asked to try to define Dahl's criteria and a more formal definition should be provided by the teacher. At this time, Dahl's 6 Institutional Requirements should also be shared. A good activity to help link the criteria to the requirements is to have all of the criteria written out on the board and have students match the requirements to each of the criteria. The requirements serve as good practical definitions for the criteria and give concrete examples of how democracies can carry out democratic aims. Please refer to Dahl's *On Democracy* or the report card in the appendix for information on how the criteria and requirements match up. The matching game is the closing activity of the second class period. Once Dahl's criteria have been outlined and defined, students should be ready to judge how well modern democracies fulfill their democratic goals in practice.

Lesson Two: Jigsaw on Government

The objective of this lesson is to introduce students to the varied reasons people choose to form governments and nations. By employing the jigsaw method, students will be asked to engage with primary sources and draw comparative conclusions over the four excerpts used. Ideally this lesson would last only one 45-minute period, but different levels of learners may require the jigsaw to stretch over two 45-minute periods. The standards addressed in this lesson are 5.1A, 5.1C, 5.1E, and 5.1H.

To start the lesson, students should be asked the focusing question of the jigsaw: "why do societies form governments?" Once sufficient discussion of responses has been completed and a list of possible answers compiled, the class will divide into four or eight small groups (preferably four students). These are the primary jigsaw groups. Each group will be given one of the four following excerpts to read: 1) A paraphrase of the opening paragraphs to Book IV of Plato's *Republic* (discusses the point of creating city-states in Greece); 2) The 1st paragraph of *Federalist 9* and the 6th paragraph of *Federalist 10* (asserts that the US Constitution protects citizens from themselves); 3) The "Harm Principle" from chapter one of John Stuart Mill's *On Liberty* (proposes that the prevention of harm is the responsibility of the government as well as the individual); 4) Abraham Lincoln's *Gettysburg Address* (espouses the higher call of governments and citizens to be responsible for the happiness of all people).

Several common questions should be answered by each group. The questions: 1) Who is writing this? When? What is the context? 2) What words or phrases jump out at you? Why? 3) What is being said about the role of common people? How can you tell? 4) What is being said about the role of governments or people in charge? How can you tell? 5) How would you answer the focusing question after reading this excerpt? Once these questions have been answered in the primary groups, one member from each of the 4 groups should come together to form the secondary groups - a group where one student is the expert on his or her source. The same five questions will be answered, but discussion will ensue as to how each source approaches the focusing question. Once students have finished sharing and discussing, they should begin the homework assignment which will be shared out the next day: write a paragraph discussing whether the authors of these sources are addressing the democratic ideals we defined in class with their ideas. A great way to cap the lesson is to show School House Rock, *The Preamble* to the class as a lesson on what the Founders actually

decided to announce as the purposes for forming the United States government.

Lesson Three: Creating a Children's Book

The objective of this lesson is to have students comprehend the results of democracy in America and to judge whether those institutions facilitate or encumber the growth of democracy in the nation. This lesson could take anywhere from one to three 45-minute periods to complete depending on the level of the learners and the desire of the teacher to foster creativity. It is the only lesson in the unit that will appeal to more visual learners. The standards addressed in this unit are 5.1E and 5.3A.

Students should start the lesson off by answering the pre-class question: "Is America becoming more or less democratic as time goes on? Why or Why not?" There will undoubtedly be two camps with varying explanations for their answers and these should be discussed briefly. A class handout should be made with the information contained in the rationale of this unit under the heading "The Results of the American Democratic Experiment". Students should take turns reading the sections aloud and discussing the implications of the different institutions of our modern democracy and whether or not these things lead us to be more or less democratic. Once it is clear that the students understand the institutions and their role in adding or subtracting from democratic aims, the activity of creating a children's book can be introduced.

The students should create the books in small groups (no more than three students). Because there are four results (electoral process, judicial review, amendments, and political parties) there should be about 12 students working on each book - three students in each of four groups; more than one book can be made in larger classes. Each small group is responsible for 2 pages of the book, text and illustrations. The first page should explain the institution in words that a kindergartener or first grader would understand. For example: "Political parties are groups of people with lots in common. They think the same way about how Americans should live, work, and play. People who get chosen to lead the country come from one of two parties - the Republicans (elephants) or the Democrats (donkeys)." The second page gives the group a chance to decide whether the institution is helping or hindering democracy in America. For example: "Many people like belonging to political parties, but sometimes not everyone gets invited to join. Not everybody likes the elephants and the donkeys, so people who don't have a party to join get left out of making decisions. This isn't very fair and some people even think that the political parties should be gotten rid of all together!" Students should be encouraged to come up with their own opinions for this piece. Once each group has written and illustrated their pages, the book can be bound together by the teacher and should be read as a children's book, first to the class so that they can learn from each other and second to a group of younger students (if the possibility presents itself). The book is the culminating assignment of the lesson and so any homework given would be reflection upon what was learned by the experience.

Resources

Teacher Bibliography

"Appendix: Observing Democracies." In *The Democracy Sourcebook*, edited by Robert

Dahl, Ian Shapiro, and Jose Antonio Cheibub, 527-534. Cambridge: The MIT Press,

2003.

A quick overview of different methods for rating the successfulness of democratic governments

Dahl, Robert A. *How Democratic Is the American Constitution?* New Haven: Yale University Press, 2002.

A study of the successes and failures of the American democratic experiment

—. *On Democracy*. New Haven: Yale University Press, 1998.

An accessible textbook treatment of democracy and its varied applications

Fishkin, James S. *The Voice of the People: Public Opinion and Democracy*. New Haven: Yale University Press, 1995.

Explores the processes of deliberative democracy as well as provides a model

Shapiro, Ian. *Democratic Justice*. New Haven: Yale University Press, 1999.

Used to illuminate the principle of affected interest and collective self-government

—. "Introduction: *The Federalist* Then and Now." In *The Federalist Papers*, edited by Ian Shapiro. New Haven: Yale University Press, 2009.

An overview of the use of the Federalist Papers by the framers of foreign democracies

—. "Tyranny and Democracy: Reflections on Some Recent Literature." *Government and*

Opposition 43, no. 3 (Summer 2008): 486-497.

A review of two books on democratic theory and practice

Student Bibliography

Hamilton, Alexander, James Madison, and John Jay. *The Federalist Papers*. Edited by Clinton Rossiter. New York: Penguin Putnam, Inc., 1961.

A pocket edition of the essays with a summary of each essay in the table of contents

Lincoln, Abraham. "The Gettysburg Address."

<http://americancivilwar.com/north/lincoln.html> (Accessed August 13, 2008).

A website with a transcription of Lincoln's famous Civil War speech

Mill, John Stuart. *On Liberty*. New Haven: Yale University Press, 2003.

A philosophical discussion of the purposes of government in relation to personal liberties

An accessible translation of Plato's classic work on government

Classroom Materials

This unit requires the ability to create handouts both of excerpts of the rationale above and also of select excerpts from student resources included in the bibliography. For writing the position papers, students should have access to the internet and/or a library for researching their comparisons; photocopies of portions of both of the Dahl books would also suffice. The children's book requires art materials such as large paper and markers/crayons as well as a way to bind the book (yarn or staples).

Appendices

Model Position Paper: Written or Unwritten Constitutions

The formation of a democratic government is a laborious and highly nuanced process that can take months or years to complete. Decisions must be made on many fronts, including the roles of government officials, criteria for citizenship, and rights guaranteed to citizens. Once the process is over, a decision must be made as to whether or not to write out the constitution - rules - for all to see. In other words, should the government be encouraged to follow the letter of the law or the spirit of the law? The most democratic option is to write out the constitution of a nation so that all people have access and can refer to the laws and regulations of the country at any time for any reason.

The question may be posed: what is so undemocratic about adopting an unwritten constitution? It can be argued that by not writing out the laws of a land the populace is excluded from engaging with the laws; they either do not know or cannot understand their rights without the proper training. This creates an elitist society. On the other hand, without written words a populace could interpret the meaning or intention of the law very liberally if they wished to do so. Unwritten constitutions are much more open to interpretation. Great Britain is a good example of a functioning democracy with an unwritten constitution.

Written constitutions are as plain as black and white. However, that is not to say that the written word doesn't provide a grey area of interpretation. In the example of the US Constitution, people who follow the laws as written regardless of context are called "strict constructionists" and people who take the evolution of political culture into consideration are called "loose constructionists". In this way, having a written constitution hardly circumvents conflict and interpretation. One unequivocal argument in favor of written constitutions is their permanence; they become canonical and revered by the populace and widely disseminated throughout the masses. This dissemination encourages democratic practices.

When considering all of the pros and cons of both options, it is easy to see why written constitutions are more democratic. First and foremost, the written word is easily accessible to the electorate, especially if it is allowed to be printed in many languages and is taught in schools (as in America). Second, unwritten constitutions leave too much room for politicians and other "higher-ups" to take advantage of the common man with underhanded interpretations. The written word - just like a signed contractual agreement - helps to protect the rights of citizens.

In conclusion, written constitutions are more democratic than unwritten constitutions for many reasons. Some of these are the accessibility, permanence, and easy interpretation of the written word. Also, unwritten constitutions can tend to create elitists societies where only a few high-level officials in the government have access to true understanding of the laws. America's choice to publish a written constitution proves that the government created by the Founding Fathers was committed to democratic principles and practices.

Report Card for Democratic States

Democratic Criteria (Goals for Democratic States)	Institutions to Help Meet Goal	Does the Country Have It?		
		No	Yes	Explain/Example
Effective Participation	Elected Representatives			
	Freedom of Expression			
	Alternative Information			
	Associational Autonomy			
Voting Equality	Free, Fair & Frequent Elections			
Enlightened Understanding	Freedom of Expression			
	Alternative Information			
	Associational Autonomy			
Control of the Agenda	Elected Representatives			
	Free, Fair & Frequent Elections			
	Freedom of Expression			
	Alternative Information			
	Associational Autonomy			
Inclusion of Adults	Inclusive Citizenship			
				TOTAL

Addressing Pennsylvania State Standards

The Social Studies standards for the state of Pennsylvania cross four different areas of study - Civics and Government, Economics, Geography, and History. This unit deals mostly in Civics and Government due to the focus on the US Constitution and comparative government studies.

Standard 5.1A - Principles and Documents of Government; Purpose of Government

Standard 5.1C - Principles and Documents of Government; Principles and Ideals that

Shape Government

Standard 5.1E - Principles and Documents of Government; Documents and Ideals

Shaping United States Government

Standard 5.1H - Principles and Documents of Government; Contributions of Framers of Government

Standard 5.2E - Rights and Responsibilities of Citizenship; Ways Citizens Influence Decisions and Actions of Government

Standard 5.3A - How Government Works; Structure, Organization, and Operation of Governments

Standard 5.4A - How International Relationships Function; How Customs and Traditions Influence Governments

Standard 5.4C - How International Relationships Function; Impact of the United States on Political Ideals of Nations

Standard 8.1D - Historical Analysis and Skills Development; Historical Research

Standard 8.3B - United States History; Documents, Artifacts, and Historical Places

Standard 8.3C - United States History; Influences of Continuity and Change

Standard 8.4B - World History; Documents, Artifacts, and Historical Places

Standard 8.4C - World History; Influences of Continuity and Change

Notes

1. Dahl, *On Democracy*, 83.

2. *Ibid.*, 37-8.

3. "Appendix: Observing Democracies," 527.

4. Dahl, *On Democracy*, 85.

5. Shapiro, "Introduction."

6. Mill, *On Liberty*, 156.
7. Ibid., 161.
8. Dahl, *On Democracy*, 48.
9. Mill, *On Liberty*, 173.
10. Madison, *Federalist Paper 10*, 73.
11. Hamilton, *Federalist Paper 9*, 70-1.
12. Madison, *Federalist Paper 10*, 72.
13. Hamilton, *Federalist Paper 9*, 67.
14. Madison, *Federalist Paper 10*, 78.
15. When writing the *Federalist Papers*, Madison did not agree with promoting the creation of factions and loyal oppositions in society. This is Dahl's primary critique of Madison's approach to political parties in the *Federalists*. As Madison aged, however, he became more in line with thinking that political parties were necessary to running a functioning democracy - much more in line with the second quote here from *Federalist 10*.
16. Shapiro, *Democratic Justice*, 38.
17. Dahl, *On Democracy*, 54.
18. Shapiro, *Democratic Justice*, 37.
19. Dahl, *Democratic American Constitution*, 41.
20. Shapiro, "Tyranny and Democracy," 487.
21. All of the options discussed in this section are summaries of Dahl's treatments of democracy on different scales. The information is taken from *On Democracy*, 100-124 and *How Democratic is the American Constitution?* 43-72.
22. Dahl, 118.
23. "Appendix: Observing Democracies," 527-8.
24. Alexis de Tocqueville, *Democracy in America*, Translated by George Lawrence, Edited by J.P. Mayer (New York: Harper Perennial, 2006), chapter five.
25. Dahl, *On Democracy*, 49.
26. Dahl, *Democratic American Constitution*, 146.

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