

# A Crisis in Civic Conscience in the United States? Knowledge and Understanding of the U.S. Bill of Rights among a Group of Undergraduate Students Citizens of the United States

Porter Eldridge Coggins III<sup>1,\*</sup>, Janet A. Heuer<sup>2</sup> & Michael A. Anderson<sup>1,3</sup>

<sup>1</sup>Department of Professional Education, Bemidji State University, Bemidji, USA

<sup>2</sup>Department of Criminal Justice, Bemidji State University, Bemidji, USA

<sup>3</sup>Retired May 2018

\*Correspondence: Department of Professional Education, Bemidji State University, Bemidji, MN. 56601, USA. Tel: 1-218-755-2720. E-mail: Porter.Coggins@bemidjistate.edu

Received: November 5, 2019      Accepted: November 21, 2019      Online Published: January 10, 2019

doi:10.5430/wjss.v7n1p12      URL: <https://doi.org/10.5430/wjss.v7n1p12>

## Abstract

Three groups of undergraduate student citizens of the United States at a regional public university were surveyed regarding their knowledge of the Bill of Rights of the Constitution of the United States. Additionally, the findings of a focus group discussion of Honors students regarding this same topic are presented and discussed. A fifteen-statement questionnaire was administered to 66 First Year Experience (FYE) undergraduate students, 50 senior students, and nine Honors students. Ten of the statements were quotes from the Bill of Rights amendments and five statements were foils which were not among the Bill of Rights amendments. A focus group discussion with the Honors students revealed several themes including those of rights and responsibility for educational curricula on the Bill of Rights. Analysis of the data indicated that these three groups did not present evidence of deep knowledge of the Bill of Rights by amendment number. We interpret the general lack of knowledge of the Bill of Rights as a warning regarding the lack of value of the Bill of Rights and citizenship by state and federal governments and raise a concern of the possibility of a growing crisis in civic conscience of the citizenry of our country unless significant educational-policy countermeasures are taken.

**Keywords:** bill of rights, U.S. constitution, civics, undergraduate

## 1. Introduction

### 1.1 Introduce the Problem

Similar to many cultures, societies, and governments past and present, the United States adopted the *Constitution of the United States of America* to govern the country as a democratic republic that cedes decisions to the will of the majority with consideration of the needs of the minority and the individual. The first ten amendments of the *Constitution of the United States of America* (U. S. Const., 1788) are collectively known as the *Bill of Rights* (Bill of Rights, 1791). They were added to the original articles of the Constitution as numbered amendments to ensure individual and state rights were protected in light of a strong federal government. In the United States (U. S.), public-school students in all states are required to study U.S. history in general and civics in particular as defined by individual state standards, and participate in national assessments of these topics (along with many others) in grades 4, 8, and 12. The results of these national assessments are reported in the most recent update of *The Nation's Report Card* by the National Assessment of Educational Progress (The Nation's Report Card, 2014) under the direction and jurisdiction of the U.S. Department of Education and the Institute of Education Sciences (Institute of Education Science, About NAEP, 2018). However, with respect to the general population in the U.S. and American undergraduate student knowledge at regional, public colleges and universities in particular, a gap exists in the scholarly literature regarding knowledge of the Bill of Rights among undergraduate students at regional public universities. The few studies on college students include Call and O'Brien (2011), who reported First Amendment

knowledge of preservice teachers, Heuer and Coggins (2017), who reported knowledge of undergraduate criminal justice students on a select number of constitutional amendments, and likewise Coggins and Heuer (2017), who reported knowledge of undergraduate education students on a select group of constitutional amendments. In each of those three research studies, knowledge of only specific amendments from select populations of undergraduate students were investigated and reported. The results of this study can contribute to the literature and fill that gap in part by reporting knowledge of the complete set of Bill of Rights by several groups of undergraduate students at a regional, public university.

In the discussion section below, we will argue that there is a connection between civic consciousness and knowledge of the Bill of Rights. An understanding of the extension and limits of individual rights stated in the Bill of Rights can impact an individual's expectation of and responsibility for being a citizen. Although, emotional arguments both for and against state and national policies and legislation may drift from facts in the heat of the moment, national support of an informed citizenry which is able to make principled arguments both for and against proposed policy and legislation is crucial to the long-term stability and survivability of our nation as defined by our national constitution. For those residing in and citizens of the United States (U. S.), an understanding of basic rights guaranteed under the *Bill of Rights* of the U.S. Constitution can help steer our civic understanding and behaviour responsibly as a democratically voting citizenry. In this paper we present, interpret, and consider implications of both a knowledge survey and a focus group discussion with a sample of university undergraduate students over the Bill of Rights of the U.S. Constitution.

### *1.2 Explore Importance of the Problem*

Current national news and social media research indicates that United States (U. S.) is an increasingly polarized citizenry with a growing lack of civility, lack of respect for individual differences in opinion, an inability to articulate principled arguments for and against debated positions, and gross misconceptions regarding basic constitutional rights. The lack of knowledge of the U.S. Constitution and general constitutional processes, as well as a specific lack of knowledge of the Bill of Rights may be at the heart of the civics-related issues noted above. Although news outlets are prone to reporting the voices and actions of the extremes rather than the mainstream, the political campaigns of the recent 2016 U. S. national election and coat-tail state elections are indicative of growing polarization and uncivil behaviour by candidates, current elected public officials and the public. In spite of state standards for K-12 social studies, civics education suffers from a lack of national policy emphasis, direction, vision, and leadership indicative of abdication of forward thinking which otherwise could not only strengthen common national values and responsibility but provide a foundation for greater global awareness and appreciation for the notion of global citizenship and responsibility.

### *1.3 Describe Relevant Scholarship*

Discuss the relevant related literature, but do not feel compelled to include an exhaustive historical account. Assume that the reader is knowledgeable about the basic problem and does not require a complete accounting of its history. A scholarly description of earlier work in the introduction provides a summary of the most recent directly related work and recognizes the priority of the work of others. Citation of and specific credit to relevant earlier works are signs of scientific and scholarly responsibility and are essential for the growth of a cumulative science. In the description of relevant scholarship, also inform readers whether other aspects of this study have been reported on previously and how the current use of the evidence differs from earlier uses. At the same time, cite and reference only works pertinent to the specific issue and not those that are of only tangential or general significance. When summarizing earlier works, avoid nonessential details; instead, emphasize pertinent findings, relevant methodological issues, and major conclusions. Refer the reader to general surveys or research syntheses of the topic if they are available. Demonstrate the logical continuity between previous and present work. Develop the problem with enough breadth and clarity to make it generally understood by as wide a professional audience as possible (Beck & Sales, 2001). Do not let the goal of brevity lead you to write a statement intelligible only to the specialist.

### *1.4 State Hypotheses and Their Correspondence to Research Design*

To what extent do American undergraduate students holding U.S. citizenship at a regional public university know the Bill of Rights?

Are American undergraduate students holding U.S. citizenship at a regional public university able to give relevant examples of each of the Bill of Rights?

What are the perceptions of American undergraduate students holding U.S. citizenship regarding what public school students in the U. S. should know about Civics when they enter college and when they exit college?

We hypothesize that there is no statistically significant difference between what first-year American undergraduate students know and understand of the Bill of Rights than senior American undergraduate students.

## 2. Method

The study research methodology is mixed. Methods included both quantitative and qualitative. We employed an Explanatory Sequential Design (Mills & Gay, 2019) by administering a questionnaire to both first-year American undergraduate students and senior American undergraduate students to measure understanding of the Bill of Rights among a sample of college undergraduate students who were U.S. citizens, then held a focus group with an undergraduate *Honors* seminar class of U.S. citizens devoted to U.S. Constitutional issues.

In the quantitative portion of the research design, a questionnaire survey is administered to a sample of three groups of undergraduate U.S. citizens: First Year Experience (FYE) students, senior students, and Honors students. In this portion of the study, the methodology asks respondents to identify amendments of the Bill of Rights by number by matching a statement from among the Bill of Rights and foils that are not part of the Bill of Rights with the correct amendment number or otherwise indicate the statement is not among the Bill of Rights. The number of correct answers was statistically analysed for significance.

In the quantitative portion of the research design, utilizing the same questionnaire survey, respondents are asked to comment briefly with an appropriate example specific to the general meaning of the appropriate amendment from the Bill of Rights. The comments are the data and were analysed using a modified version of grounded theory.

Reviewing the Bill of Rights survey documents written responses section revealed several general categories, which we call general themes. The general themes are generated by selecting student responses that identified or suggested similar content knowledge albeit in some cases limited in structure. The general themes included rights and responsibilities for teaching and learning about the U.S. Constitution in general and the Bill of Rights in particular, the First and Second Amendments, and commentary about survey statement items from the FYE and senior groups.

The third aspect of the study is an extension of the grounded theory by using a student focus group to respond to the overall data about student knowledge of the Bill of Rights. In this methodology, the researchers shared aggregated anonymous data from the FYE and senior groups, with students in an Honors seminar on *The Constitution of the United States of America*. The goal was to gain rich commentary regarding general student knowledge and to ask for student voice about steps needed to improve civic Education.

### 2.1 Recruitment of Participants

We recruited a sample of the total population of first-year American undergraduate students from several *First Year Experience* (FYE) courses on campus and we recruited several senior-level classes across campus at our regional public university. The FYE students from the same major typically enrolled in discipline-based FYE courses by major and were selected for convenience of availability of the authors to administer the survey. The senior students were also from a variety of majors and were also selected for convenience as were the FYE participants. The Honors focus group included students from a variety of majors who were interested in the U.S. Constitution and taught by one of the authors.

### 2.2 Participant (Subject) Characteristics

The participants in this study are a sample of the population of all undergraduate college students in the United States and are matriculated in a regional university in the Great Lakes region of the United States. Approximately 4,700 undergraduate students are enrolled in any given semester. The female to male ratio is approximately 53% female and 47% male. Although 88% of the students are from the state, the university typically enrolls students from approximately 36 other states and 38 other countries. Undergraduate students typically take an average of slightly over 14 credits per semester. Approximately 55% of students are traditional-age students (with ages less than or equal to 24 years of age), and approximately 46% are *first-generation* college students federally defined. Approximately 80% of students classified themselves ethnically as *white* while approximately 3% classified themselves under the ethnic category *American Indian or Native Alaskan*. All students who participated in this study were at least 18 years of age.

### 2.3 Sampling Procedures

A convenient sample was used to recruit all participants. Participants were selected from regularly scheduled courses in the 2018 spring semester. All classes were selected based on availability with respect to researcher (author) availability to administer the questionnaire and faculty willing to allow the questionnaire to be conducted for a

portion of a scheduled class period. Once a class was identified and the course instructor agreed, the researcher administered the questionnaire, then culled out for analysis only those completed by American students. All other participants who did not meet the participant criteria of the minimum age requirement and citizenship were not used for analysis.

#### 2.4 Questionnaire and Protocol for Administering Questionnaire

The questionnaire consisted of 15 questions including ten for each of the Bill of Rights and five foils which were not among the Bill of rights. After reading the informed consent document, those who were at least 18 years of age, U.S. citizens, and agreed to participate were allowed to complete the questionnaire. The questionnaire was administered by one of the authors in the usual classroom for the course in which the course instructor agreed to allow the questionnaire to be administered. Students were given as much time as needed to complete the questionnaire.

#### 2.5 Limitations

Our limitations that may affect generalizability include lack of control over the extension of prior knowledge for *First Year Experience* student participants with respect to public-school exposure to the Bill of Rights. Another limitation affecting the generalizability is the lack of control over the liberal education course selection of all student participants. They have a wide variety of course options in the areas of U.S. history, politics, and other courses that may or may not have included content which covered the Bill of Rights. A third limitation that may affect generalizability includes the possibility of transfer students who may or may not have had content which covered the Bill of Rights. Further limitations which may affect generalizability of the results of this study include participant data from only those currently enrolled in a regional university and indirectly as a consequence of university enrollment, only those who have completed the equivalent of K-12 education. Participants were also limited to those of U.S. citizenship who attended secondary school in the United States to ensure state required exposure to U.S. history and civics state standards at the secondary-school level.

#### 2.6 Assumptions

We assume that all students who participated answered all questions truthfully and honestly, that the responses of students who participated were similar to and not significantly different from other first year experience students and senior students at this regional public university, and the responses of students who participated were similar to and not significantly different from matriculated at regional public colleges and universities in the Great Lakes and Great Plains regions of the United States.

### 3. Results

#### 3.1 Statistics and Data Analysis

A Mann-Whitney U test was used to assess total score differences between *First Year Experience* (FYE) and seniors on all 15 questions in aggregate. It is clear from the Table 1 Note that there was insufficient evidence to reject the null hypothesis of statistically significant difference between FYE students and seniors on the knowledge of the Bill of Rights as assessed in the questionnaire ( $p = 0.3421$ ,  $U = 1479$ ,  $Z = 0.95$ ) at the alpha 0.05 level threshold.

**Table 1.** Descriptive Statistics for First Year Experience and Seniors on Percent of Total Correct Scores on Test of Knowledge of Bill of Rights

	n	M	SD	Mdn	Max	Min	Mode	SE
First Year Experience	66	40.26	5.13	40	80	13	33	1.86
Seniors	50	36.70	17.62	40	80	0	40	2.49

*Note.* Mann-Whitney U test two-tailed results comparing total score between freshman year experience students compared to total score of seniors on knowledge of the Bill of Rights, ( $p = 0.3421$ ,  $U = 1479$ ,  $Z = 0.95$ ) indicates insufficient evidence to reject the null hypothesis of no difference in total score of freshman year experience students compared to seniors.

With respect to the fifteen individual scores of the questionnaire, Table 2 reports the percent correct and the difference between FYE and seniors on each question, and Table 3 reports the results of the Two-Tail Fisher Exact test between FYE and seniors with an appropriate Bonferroni correction. There was insufficient evidence to reject the null hypothesis of statistically significant differences on each question.

**Table 2.** Correct and Percent Correct Answers for Individual Questions

Test Question Number	First Year Experience (FYE) Students Percent Correct	Seniors Percent Correct	Difference in Percent Correct Scores FYE - Seniors
1	62.1	42.0	20.1
2	7.6	16.0	-8.4
3	10.6	12.0	-1.4
4	81.8	62.0	19.8
5	74.2	78.0	-3.8
6	10.6	12.0	-1.4
7	19.7	20.0	-0.3
8	84.8	68.0	16.8
9	10.6	14.0	-3.4
10	54.5	58.0	-3.5
11	9.1	10.0	-0.9
12	78.8	70.0	8.8
13	6.1	4.0	2.1
14	77.3	66.0	11.3
15	16.7	18.0	-1.3

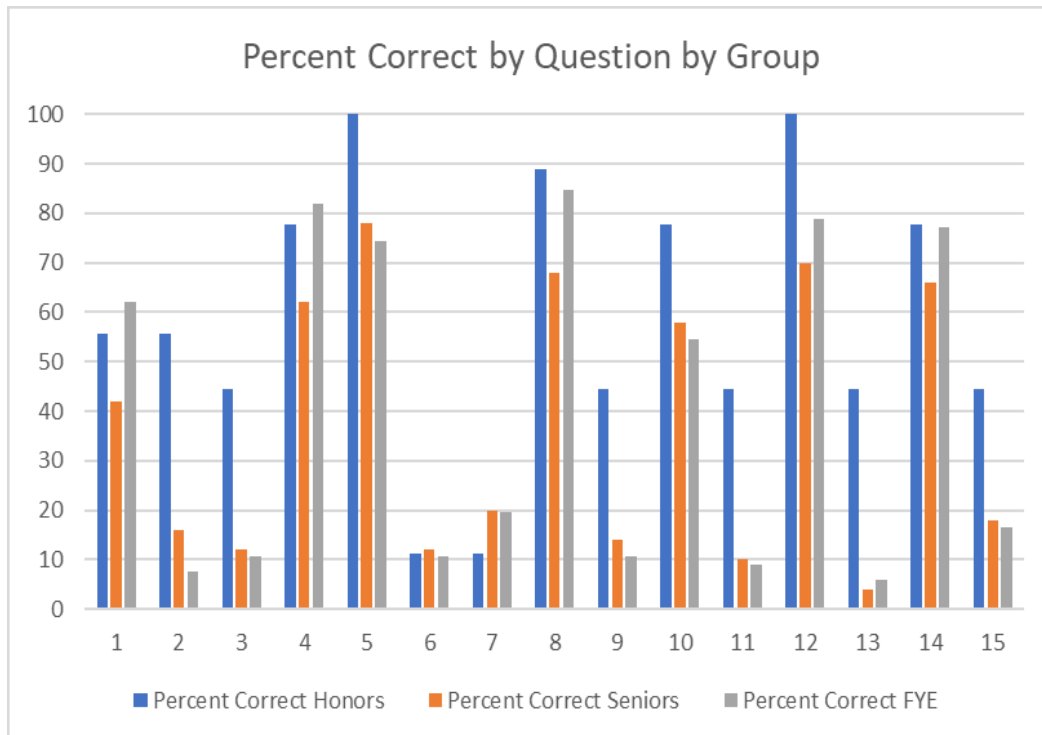
**Table 3.** Fisher Exact Text Results Comparing First Year Experience and Seniors on Individual Questions on Test of Knowledge of Bill of Rights

Test Question Number	Fisher Exact Test Two-Tail p-value with significance level 0.003*	Phi Coefficient of Association	Null Hypothesis of No Differences between Group Test Question Scores
1	0.04	-0.20	Retain Null Hypothesis
2	0.23	0.13	Retain Null Hypothesis
3	1	0.02	Retain Null Hypothesis
4	0.02	-0.22	Retain Null Hypothesis
5	0.67	0.04	Retain Null Hypothesis
6	1	0.02	Retain Null Hypothesis
7	0.84	0	Retain Null Hypothesis
8	0.04	-0.2	Retain Null Hypothesis
9	0.77	0.05	Retain Null Hypothesis
10	0.85	0.03	Retain Null Hypothesis
11	1	0.02	Retain Null Hypothesis
12	0.39	-0.1	Retain Null Hypothesis
13	0.70	-0.05	Retain Null Hypothesis
14	0.21	-0.12	Retain Null Hypothesis
15	1	0.02	Retain Null Hypothesis

\*Bonferroni correction of 0.05 / 15 to significance decision value 0.00333.

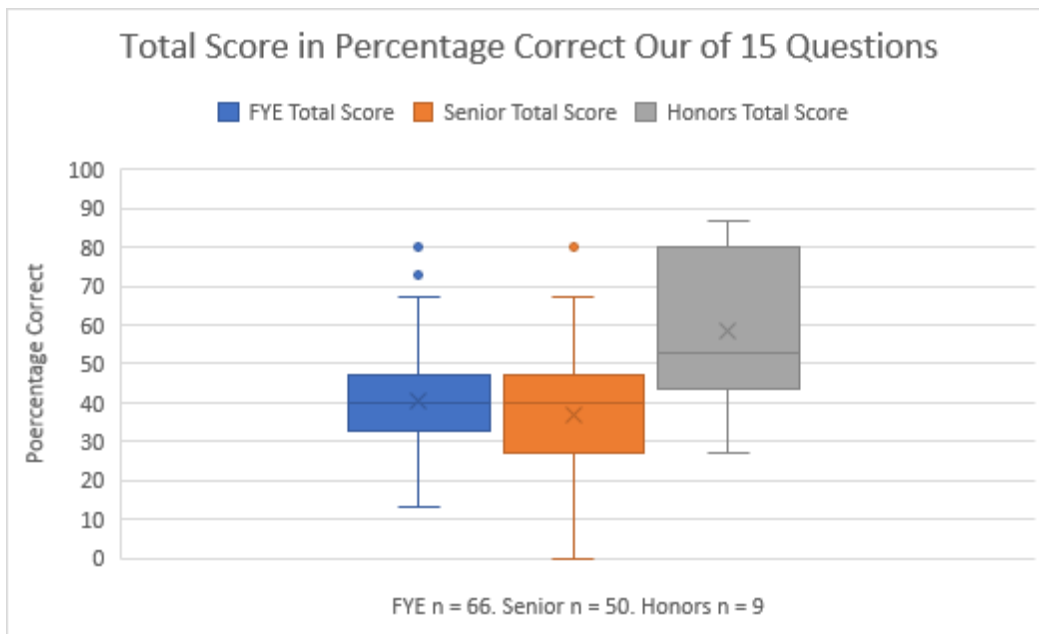
Figures 1 and 2 below represent graphical comparisons of the percent correct on each of the fifteen questionnaire items for FYE, seniors, and the Honors focus group students.

The Honors focus group clearly showed greater knowledge of the Bill of Rights as assessed in the questionnaire and a Kruskal-Wallis test comparing the total percent correct aggregate scores of the three groups indicated sufficient evidence to reject the null hypothesis of no statistical differences between the groups ( $H = 7.91, df = 2, p = 0.0192$ ) and conclude there was a statistically significant difference between groups. Based on the graphical representation of scores, no ad hoc tests were performed because clearly the Honors focus group scores in aggregate were the statistically significantly different group.



**Figure 1.** Comparison of Questionnaire Percent Correct by Group.

Figure 1. Key for questions numbered in Figure 1 is as follows as question: amendment/foil. 1: foil, 2:10th, 3:7th, 4: foil, 5:2nd, 6:6th, 7:3rd, 8: foil, 9:5th, 10: foil, 11:8th, 12:1st, 13:9th, 14: foil, 15:4th.



**Figure 2.** Comparison of Questionnaire Total Score in Percentage Correct by Group

Figure 2. Box plots of the total percent correct of the aggregate is given for each of the three samples of participants. A Kruskal-Wallis test of the three groups on the total score percent correct indicated sufficient evidence to reject the null hypothesis of no difference between ranks ( $H = 7.91, df = 2, p = 0.0192$ ). The Honors group had statistically significant higher scores than the other two groups (FYE and seniors). The Kruskal-Wallis test was used due to the small sample size of the Honors group and because normality of the data was not assumed.

#### 4. Discussion

##### 4.1 Three Groups Comparison of Questionnaire Results

There was insufficient evidence to reject the null hypothesis of no statistically significant difference between the two groups of First Year Experience (FYE) and seniors on the percent scores correct on the individual fifteen individual statements (See Table 3 and Figure 1). Interestingly, despite a lack of statistically significant differences, the FYE group outperformed the seniors in five of the fifteen statements including four foil statements and the First Amendment statement. Statistical tests including the Honors group with the groups of FYE and seniors on the fifteen individual statements were not conducted, however, the total score in aggregate on percent correct was analysed and there was sufficient evidence to reject the null hypothesis of no statistically significant difference. The Honors group aggregate scores were significantly greater than the other two groups as measured by a Kruskal-Wallis test. The most plausible explanation for this is that the Honors students, regardless of major, were interested in this Honors course given its focus on the U.S. Constitution.

##### 4.2 All Groups Recognized Most of the Foil Statements

All three groups surveyed in this study (FYE, seniors, and Honors students) were able to identify four of the five foil statements with greater than 66% accuracy. One foil statement was identified at a lower level of accuracy between 42% and 62% among the three groups. We surmised this particular statement, *Right to speak any language, other than English in public places*, was mistaken for a freedom of speech right and likely confused many of the participants. Further, it was interesting that the group with the largest number of correct responses for this particular foil statement was the FYE group, but we have no plausible explanation for the reason for the higher correct response by the FYE group. Lastly of note regarding the foil statements, in four of five of the foil statements, the difference in percent correct scores of the FYE group outperformed the seniors in identifying foils an average of 17% more correct responses than the seniors group. We have no plausible explanation for this group difference of correct identification of foil statements.

#### 4.3 Questionnaire Results Consistent with National Report Card Data

The most recently published scores for civics on the National Assessment of Educational Progress Report Card (The Nation's Report Card, 2014) indicate scores across the 4<sup>th</sup>, 8<sup>th</sup>, and 12<sup>th</sup> grades decline from 27% to 24% over those grades. Most State social studies curriculum standards are written based on the *National Council for the Social Studies* (National Council for the Social Studies, 2010). State standards legislation mandates student knowledge and competency in U.S. history, civics, and state and national political structures. In addition to guidance from state standards, a plethora of organizations offer support for schools for growth in understanding of civic knowledge such as the *Constitution Academy of the Bill of Rights Institute* (Bill of Rights Institute, 2019), the *We the People: The Citizen and the Constitution of the Center for Civic Education* (Center for Civic Education, n.d.).

Despite the resources and support by the organizations mentioned above, the abysmal performance by students in public schools in the United States is surprising. However, because these public-school students feed into the university system across the country, the scores reported in this survey are not surprising. Further, the scores and focus group discussion from this study seem consistent with an online survey of eligible voting adults in the United States conducted by Quigley and Owen (2016) who reported the following among their findings: "...among the Declaration of Independence, the U.S. Constitution and Preamble, the Bill of Rights and other amendments...86% of respondents are aware that they are not well-informed regarding the foundational document" (p. 1) and "Support for protection of rights found in the Bill of Rights and other amendments, A large majority of Americans (80+%) support elements of the Constitution and its amendments that protect the rights to..." (p. 4). So, while apparently unclear on exactly what the foundation documents say, an overwhelming majority of eligible adult voters do agree in principle with American rights as they seem to understand them. Unfortunately, support for rights based on a poor understanding of exactly what those rights entail is a dangerous position to hold when attempting to present principled arguments either for or against proposed policies and legislation.

Of interest was that over 70% of all students correctly identifying the first two amendments and over 60% of all students correctly identified the four of five foil statements. We address the issue of the one foil statement in which less than 60% of all students correctly identified the statement as a foil further below. Of the remaining eight amendments, among students in the groups FYE and seniors, only 20% or fewer correctly identified amendments three through ten, while at least 40% of the Honors group correctly identified statements of all remaining amendments with the exception of the third and sixth amendments in which slightly more than 10% of the Honors students correctly identified these two amendments.

Students in the Honors focus group commented on the generally low rate of identification of amendments among the FYE and seniors, and foretelling their own scores with these comments:

"I think that most of us probably aren't going to be able to list all the Amendments number by number but at the same time, I feel like the majority of us also have a relatively good idea of what our rights are, even if we can't say exactly, which one's which, you know?"

"I can't say I'm surprised at all, by the fact that both freshmen and seniors had a very low-level knowledge about the Bill of Rights and the Constitution. Because especially, even having taken class, like my civic classes and stuff in school, it was something that was more glanced over. Instead of learning about what your rights were, especially in the classes I took, it was the people behind it", and

"Yeah, I'm not surprised at all either. I remember taking one civics class when I was in middle school and then one when I was a senior in high school and that was it. There's been pretty much nothing in college that would've helped me with this as far as, what I take for my major".

These Honors students identified the issue of lack of attention to the U.S. Constitution in general and the Bill of Rights in particular during their public-school experience. This seems consistent with the low scores among 4<sup>th</sup>, 8<sup>th</sup>, and 12<sup>th</sup> grade public-school students in the civics portion of the national assessments as reported above.

#### 4.4 The First and Second Amendments

With respect to the first two amendments, one Honors student noted "Mainly because in our climate today, there are certain issues that we focus on, such as with gun control or freedom of speech and things like that. They're well known to us". Yet, in spite of the generalized and undifferentiated "we" used by that student, there were some surprises regarding the ability to correctly identify these two amendments as explained below.

The First Amendment receives high-volume and extensive coverage in the United States in many areas of life and is central to many career fields such as journalism, law enforcement, and education. Thus, it is not surprising that this



amendment was correctly identified by such a large percentage of students. However, in light of the general ubiquitousness of this amendment in the United States, it was surprising that thirty percent of seniors and slightly over 20% of FYE students failed to correctly identify this central amendment. Further, the relatively large percentage overall of those who failed to correctly identify this fundamental right of citizens in the United States indicates the possibility of an alarming misconception of both the scope and limitations of this amendment.

Similarly, the Second Amendment has been in the forefront of the consciousness of citizens in the United States from both sides of the political spectrum. This amendment frequently appears as a heated topic of debate in political conversations and is seen as a fundamental and irrevocable right of American citizens. Students in the Honors focus group noted both “Then I think that’s because in [the Great Lakes region], we tend to have a high population of people who hunt which a lot of people hunt not with bows but with guns...” and “Not to mention that it’s a hot topic in the news. It’s all people are talking about.” Although over 70% of both FYE and seniors correctly identified this amendment, that nearly 30% did not correctly identify this amendment was surprising with respect to the observation of the Honors student regarding the hunting culture in the Great Lakes Region of the United States. Again, that this high visibility amendment has such a relatively high percentage of students who failed to correctly identify this amendment begs the question of the possibility of general misunderstanding of the scope and limitations of this amendment.

#### *4.5 The Third and Sixth Amendments*

With respect to the individual statements, the Honors group outperformed the other two groups on thirteen of the fifteen statements. The two statements in which the Honors students were outperformed by the groups FYE and seniors were with respect to the Third Amendment and the Sixth Amendment. Of all the Bill of Rights amendments, perhaps none is so far removed from modern society, but *not* the least correctly identified, as the third amendment with respect to the quartering of soldiers. This amendment was also the most correctly identified at 19.7% and 20.0% by the groups FYE and seniors (respectively) of all amendments other than the First and Second Amendments. This was surprising for several reasons. First, in contrast to the civic standards and underlying expectations in our state with respect to those of the Russian Federation (Russia), for example, we have no reference to the military (Mokeyeva & Andreeva, 2019) in state standards. Although both the scope of civics education in our state standards and those advocated by Mokeyeva and Andreeva (2016) follow a general widening of awareness in terms of Bronfenbrenner’s expanding circles of awareness from the individual (Bronfenbrenner, 1981), state and national curriculum guidelines in the United States do not include general or specific treatment or value of the military. One Honors student noted this distinction between cultural values with the statement “I feel like that’s also a product of an individualist culture because in collectivist cultures, that’s something that could be not only, not a right to not have to quarter someone. But it could be expected that, if a military person comes to your home and asks for aid, you let them in. I think it’s also a product of, the more individualist cultures that we have here in the western societies.” So, although this amendment is largely off the radar of topics and out of view in general conversation to the average citizen of the United States in general, it was interesting that an Honors student did grasp the cultural relativity of the Third Amendment irrespective of the temporal relativity. The second surprising point regarding the relatively high number of students who correctly identified this amendment was that this statement was correctly identified by more students than those who correctly identified the Fourth Amendment statement on protection against unreasonable searches.

#### *4.6 The Ninth and Tenth Amendments*

The amendment statement least correctly identified by the groups FYE and seniors was the Ninth Amendment, which guarantees general rights of the people. Of interest is that this right was the least identifiable of all the Bill of Rights among those two groups with only 6.1% and 4.0% of FYE and senior (respectively) correctly identifying this amendment in contrast to the number of students from both groups who correctly identified the Tenth Amendment with over 50% of both groups correctly identifying this amendment. Both of these amendments protect rights of the people from encroachment by either other constitutional rights or the federal government, and yet, they were not equally identifiable as rights by these two groups. In contrast, over 40% the Honors focus group correctly identified both the Ninth and Tenth amendments.

Honors students made several other astute points in the focus group that we highlight now. The first had to do with the place of the Bill of Rights in their educational experience. They spent some time debating the appropriate agency who should be responsible for curriculum on the Bill of Rights. On the one hand, one Honors student noted “I think every college freshman should have a good understanding of the Bill of Rights. I think it’s important to get across at a younger age because not everybody goes on to go to college.” And “...they need to have a good understanding of

the Bill of Rights and what their rights are, before they leave high school.” So, these comments reflect the need for exposure of the Bill of Rights prior to high school graduation because of the possibility of students not going on to college. The Honors students also debated on the responsibility or need to offer or require courses on the Bill of Rights as part of the college curriculum. On the one hand, some Honors students recognized the value of a college requirement on the Bill of Rights in particular and civics in general, as evidenced by these comments- “I feel like, having understanding of the Bill of Rights, after my senior year of college, will be more beneficial to me than taking a second English class, that I've been taking for, oh the last 14 years of my life.”, “I feel like a government civics class, would be more beneficial than the FYE classes we take.”, and “But the [university name] is also a part of the US [sic] government. If they want us to know our rights, they should teach us.” On the other hand, some students argued that the university is not or should not require any such courses as evidenced by statements such as “I understand that if I don't get a civics class, it's not [university name] responsibility to know that, I know the Bill of Rights. It's not their responsibility, it's my own. I don't think that the school should have to.” and “I don't think in the same way, college is not the same as like a public high school, where in there's like a set of specific notches that you have to reach. I'm not paying [university name] to teach me my Bill of Rights”. From this discussion on the question of who is responsible for civic education in general and the Bill of Rights in particular between the public-school system and the college or university, the Honors group also discussed the notion of civic duty with respect to knowing their rights.

One Honors student asked the focus group class “How many people think that it's the duties of a citizen to know their rights?” to which others replied “It is everyone's civic duty to know their rights...” and in clarification, distinguished between whose responsibility it was for at least college students to know the Bill of Rights with respect to civic duty with “...it's not the college's responsibility to know that I know the Bill of Rights. It's my own responsibility. It's no one else's duty but my own civic duty to know these types of things”. Relevant to this point was the question of whether or not rights exist if rights are not known. For example, one Honors student noted “If you are being taken advantage of because you don't know your rights, that's your problem.” and “Absolutely, you can't have rights without responsibilities to go with them.” and relatedly, “let's say you're getting arrested, maybe you did something, maybe you didn't. But you're, they're not going to let you look something up on your phone. They're not going to let you look up what the Fifth Amendment is, what the Veranda Rights are, on your phone, while they're arresting you.” Students recognized the importance of knowing their rights in general in the context of the Bill of Rights in order to have an understanding of application of them in life.

#### *4.7 The Fourth, Fifth, Seventh, and Eighth Amendments*

It is surprising that students in the groups FYE and seniors failed to correctly identify their Fourth Amendment rights with fewer 20% of students correctly identifying the statement for this amendment given the broad exceptions to student rights in this area in the public-school domain. For example, students can have their public-school lockers searched, can be drug-tested, and for the sake of school safety, can have their person and personal items (pockets and backpacks) searched.

It is possibly a generational issue that the statement for the Fifth Amendment was correctly identified by less than 15% of students in the groups FYE and seniors especially with respect to self-incrimination. Trials of elected public officials are often filled with those under oath invoking their Fifth Amendment rights to remain silent on certain questions. It is also possible that students have not been in serious legal trouble to have exposure to the range of their Fifth Amendment rights. Similarly, students likely have no prior life experience in which the Seventh and Eighth Amendments are relevant.

In closing this discussion of the analysis of results of the questionnaire, it is interesting to wonder wither a holistic reading and analysis of the Bill of Rights in the public-school curriculum as advocated by Amar (1992) would lead to a greater understanding of and connections among the amendments. In Amar's words, “...I have tried to suggest how much is lost by the clause-bound approach that now dominates constitutional discourse. The clause-bound approach misses the ways in which structure and rights mutually reinforce. It misses interesting questions *within* amendments...it misses thematic continuities *across* different amendments...it misses many linkages between the original constitution and the Bill...” (1992, 1201). Thus, a curriculum designed to allow students to discuss the Bill of Rights in the context of the amendments together might lead to deeper understanding that would allow students to see patters and themes as suggested by Amar, and in the end remember them more easily.

#### *4.8 A Crisis in Civic Conscience in the United States?*

Prima facie, it may seem there is little in common with a lack of specific knowledge of the Bill of Rights and either an individual or collective civic consciousness. For example, on the one hand, the First Amendment is not

prescriptive regarding individual feelings in the context of incivility, while on the other hand, Moore argued that “Students must be taught that civility is not merely polite manners...” (2012, p. 147). The Bill of Rights protect the rights of the individual and are not centered on community or state rights. However, the community and the state are made up of individuals who assume societal roles and pass public policies for the protection of society as a whole, in part, by protecting the rights of the individual. So, is it possible that one who is largely ignorant of the Bill of Rights can still have a sense of civic duty and possess a civic consciousness or are these discrete and disjoint domains?

In answer, Moore (2012, p. 140) argued that “Indeed, because democracy thrives on participation, dissent, criticism of laws and policies, competing worldviews, voting, divergent values and goals, and open debates, citizens must demonstrate their commitment to tolerance, respect for political adversaries, compromise, open-mindedness, and perhaps most importantly, civility.” And if civility does play a catalyst for democracy, then knowledge of fundamental rights expressed in the Bill of Rights must play an essential foundational role for that catalyst. The Carnegie Review opens their report, *A New Civic Mission of Schools*, with “Democracy, in the United States or anywhere, can only thrive where citizens understand and participate actively in civic and political life” (2011, p. 1) and noted the increasingly lack of commitment in civic education. Yet, for all of the recommendations in that report, the assumption is that students know their constitutional rights in general, and the Bill of Rights in particular, and tacitly assume that civic education in public schools in the United States includes deep curricular coverage of the Bill of Rights in the context of the terms *civics* and *citizenship*. Stuteville and Johnson, (2016) studied the question “What makes a good citizen” (2016, p. 100) in the context of public education between kindergarten and higher education by analysing a sample of K-12 state standards in social studies. They looked at seven components identified as central to their question of the good citizen. Of the seven components used to analyse their question, one pertained to the concept of individual rights. Yet, the Bill of Rights was not mentioned in either the operational definition of the component or any role that knowledge of the Bill of Rights plays in their question. However, Stuteville and Johnson did report that only 9% of their sample emphasised this component. That miniscule percentage of emphasis among the sample of states is telling. Specifically, it indicates a disconnect between civics and citizenship with knowledge of the Bill of Rights.

Rainie, Anderson, and Albright noted “In recent years, prominent internet analysts and the public at large have expressed increasing concerns that the content, tone, and intent of online interactions have undergone an evolution that threatens its future and theirs. Events and discussions unfolding of the past year highlight the struggles ahead” (2017, p. 2). Interestingly, Antoci, Delfino, Paglieri, Panebianco, and Sabatini (2016) created a model of interaction between three groups: haters (who engage in hate speech and offensive language) H, politers (who engage in polite behaviour) P, and withdrawers N, in the context of social media and face-to-face interactions. They reported that their model “...suggests that politeness can survive in a world with a fair share of haters only if the payoffs of polite people are not heavily affected by haters” (2006, p. 14). The context of these two reports was speech, and the First Amendment is overtly the only relevant amendment with respect to the Bill of Rights. However, these two studies and the First Amendment together serve as an example of the cost of ignorance of the Bill of Rights with respect to civics in general (for example, *What does it mean to be a good citizen?*) and individual guaranteed rights in particular (“Congress shall make no law...; or abridging the freedom of speech, or of the press;” (Bill of Rights, 1791)) in the context of social media and civic consciousness. In general, if democracy is to prevail, citizens in the United States must have an understanding of their rights. It is impossible to articulate sound arguments in civic discourse without an understanding of our rights in general and the Bill of Rights in particular. We are in a crisis of civic consciousness until our public-school curricula across all states give the Bill of Rights the time in schools that this set of rights deserves.

#### 4.9 Conclusion

In this paper, we wanted to expand the existing literature regarding knowledge and understanding among undergraduate student citizens of the United States regarding the Bill of Rights of the Constitution of the United States of America. Further, we were interested in the relationship between knowledge and understanding of the Bill of Rights and civic responsibility based on an analysis of our data and a review of the literature. We were able to directly measure knowledge and understanding of the Bill of Rights and were only able to infer a relationship between that knowledge and understanding with civic responsibility. We presented the results and analysis of a knowledge-based questionnaire survey administered to a convenient sample of three groups of students at a typical, regional public university in the Great Lakes Region. The three groups consisted of a sample of First Year Experience (FYE), senior, and Honors students. The questionnaire survey gave fifteen statements with blank spaces to write both the amendment number among the Bill of Rights (or otherwise indicate the statement was not among

the ratified Bill of Rights) and an example of that statement. The results indicated all groups were familiar by statement with the First and Second Amendments, recognized all foil statements, and were generally unable to identify all other amendments. However, the Honors group outperformed the other two groups on their knowledge of all amendments other than Third and Sixth Amendments. Overall, students lacked knowledge of the Bill of Rights in the form of direct quotes. We interpret this lack of knowledge as an indication that civics in general and constitutional rights in particular need to be given significantly more attention in public-school state standards to avoid a potential crisis in civic consciousness of the citizenry.

The Honors students also participated in a focus group discussing the general results of the FYE and senior groups and discussed issues related to the importance of knowledge of the Bill of Rights today, discussed questions of responsibility for curricula of the Bill of Rights, and discussed issues related to personal responsibility of knowledge of the Bill of Rights.

#### 4.10 Recommendations

Our individual state public-school systems play an important role in resuscitating our constitution understanding and consciousness generation after generation. The civic curricula of our individual states currently and mystifyingly plays a back-seat to a cold-war curricula where math and reading scores hold the sword of judgement over schools across the nation at the cost of any deep understanding of what it means to be a citizen, what it means to participate meaningfully in a democracy, what it means to be able to articulate arguments pro and con in debate with respect to issues and not persons, and what the scope and limits of our rights are. A cornucopia of organizations that can support states in writing curricula and standards were given above. Prioritizing citizenship and knowledge of the Bill of Rights is essential to the preservation of our democratic republic in order to avoid a growing crisis in civic consciousness.

#### Acknowledgements

We wish to thank the many faculty members who allowed us to recruit participants for this study and the many students who volunteered to participate in this study.

#### References

- Amar, A. R. (1992). *The Bill of Rights as a constitution*. Retrieved from the Yale Law School Legal Scholarship. Retrieved from [https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=2012&context=fss\\_papers](https://digitalcommons.law.yale.edu/cgi/viewcontent.cgi?article=2012&context=fss_papers)
- Antoci, A., Delfino, A., Paglieri, F., Panebianco, F., & Sabatini, F. (2016). Civility vs. incivility in online social interactions: An evolutionary approach. *PLOS ONE*, *11*(11), e0164286. <https://doi.org/10.1371/journal.pone.0164286>.
- Bill of Rights. (1791). National Archives Catalog. Retrieved from: <https://catalog.archives.gov/id/1408042>
- Bill of Rights Institute. (2019). *Constitution academy*. Retrieved from <https://billofrightsinstitute.org/engage/students-programs-events/academy/>
- Bronfenbrenner, U. (1981). *The ecology of human development: Experiments by nature and design*. Cambridge, MA: Harvard University Press.
- Call, I., & O'Brien, J. (2011). Secondary preservice teachers' knowledge of the first amendment. *Teacher Education Quarterly*, 115-133.
- Carnegie Corporation of New York. (2011). *Carnegie Review: A new civic mission of schools*. Retrieved from [https://www.carnegie.org/media/filer\\_public/85/8b/858b7e5d-c538-42e2-ae78-24471dce73d7/ccny\\_creview\\_2011\\_civic.pdf](https://www.carnegie.org/media/filer_public/85/8b/858b7e5d-c538-42e2-ae78-24471dce73d7/ccny_creview_2011_civic.pdf)
- Center for Civic Education. (n.d.) We the people: The citizen and the Constitution. Retrieved from <http://www.civiced.org/programs/wtp>
- Coggins III, P. E., & Heuer, J. (2017). Teacher education majors' basic knowledge of U.S. constitutional rights and pedagogical implications. *International Research in Higher Education*, *2*(3), 1-15. <https://doi.org/10.5430/irhe.v2n3p1>
- Heuer, J. & Coggins III, P. E. (2017). Criminal justice majors' basic knowledge of U.S. constitutional rights and pedagogical implications. *International Journal of Higher Education*, *6*(4), 79-93.

<https://doi.org/10.5430/ijhe.v6n4p79>

- Institute of Education Science. (2018). About the NAEP: A common measure of student achievement. Retrieved from <https://nces.ed.gov/nationsreportcard/about/>
- Mokeyeva, E. V., & Andreeva, I. N. (2016). Civic and patriotic education of pre-school children. *International Journal of Environmental & Science Education*, 11(9), 2223-2236. <https://doi.org/10.12973/ijese.2016.600a>
- Moore, J. (2012). A challenge for social studies educators: Increasing civility in schools and society by modeling civic virtues. *The Social Studies*, 103(4), 140-148. <https://doi.org/10.1080/00377996.2011.596860>
- Morgan, L. A. (2016). Developing civic literacy and efficacy: Insights gleaned through implementation of Project Citizen. *i.e.: inquiry in education*, 8(1), Article 3.
- National Assessment of Educational Progress. (2014). *The Nation's Report Card*. Retrieved from <https://www.nationsreportcard.gov/>
- National Council for the Social Studies. Retrieved from <https://www.socialstudies.org/>
- Nation's Report Card. (2014). Retrieved from <https://www.nationsreportcard.gov/>
- Pagnotti, J., & Russell III, W. B. (2015). A problem-based learning approach to civics education: Exploring the free exercise clause with supremecourt simulations. *The Social Studies*, 106(6), 281-299. <https://doi.org/10.1080/00377996.2015.1085823>
- Quigley, C. N., & Owen, D. (2016). Constitution day survey: Americans do not know much about the Constitution but they support its basic ideas. Retrieved from [http://www.civiced.org/images/stories/PDFs/ConstitutionDaySurvey\\_Summary.pdf](http://www.civiced.org/images/stories/PDFs/ConstitutionDaySurvey_Summary.pdf)
- Rainie, L, Anderson, J., & Albright, J. (2017). The future of free speech, trolls, anonymity and fake news online. *Pew Research Center, Internet & Technology, Trust, Fast Facts and Democracy*. Retrieved from <https://www.pewinternet.org/2017/03/29/the-future-of-free-speech-trolls-anonymity-and-fake-news-online/>
- Reiff, J. D. (2016). What if a state required civic learning for all its undergraduates? *High. Learn. Res. Commun.*, 6(2).
- Stuteville, R., & Johnson, H. I. (2016). Citizenship education in the United States: Perspective reflected in state education standards. *Administrative Issue: Connecting Education, Practice, and Research*, 6(1), 99-117. <https://doi.org/10.5929/2016.6.1.7>
- U. S. Const. (1788). National Archives Catalog. Retrieved from <https://catalog.archives.gov/id/1667751>
- U.S. Const. amends. I - X (1791). Retrieved from <https://www.archives.gov/founding-docs/bill-of-rights-transcript>
- U.S. Department of Education and the Institute of Education Sciences, National Assessment of Educational Progress. (November 2018). *The nation's report card: Civics 2010, 2014*. Retrieved from <https://www.nationsreportcard.gov/>