



THE NEW JERSEY ITALIAN HERITAGE COMMISSION



Natural Law

Grades Level: 9-12

Can be altered to accommodate grades 6-8

Subjects: World History / United States History / Law/Language Arts / World Languages

Categories: History and Society

Standards:

Please read the New Jersey Student Learning Standard on page 12 before conducting the lesson. They will help you give explicit instructions to your students and help you create rubrics most appropriate for your class.

Objectives:

Students will be able to:

1. discern the difference between Natural Law and Man-made Law.
2. explain the universality of Natural Law.
3. link a nexus of causes and effects from Ancient Greece and Rome, through Italy, to the American Declaration of Independence.

Abstract:

Many scholars point out that much of Roman culture was taken from the ancient Greeks. Greeks had settled in southern Italy in the 8th century BC and had established the prosperous colony of Magna Graecia that lasted into the 5th century BC. One of the areas that the Romans made tremendous contributions to Western Civilization in their own right was in the realm of Law. Rome showed the world the value of the rule of law, as opposed to the rule of men. Cicero, the greatest Roman orator and essayist, provides modern society with a clear explanation of *Natural Law*. He explains that *ius civile* is law based on local custom and particularities and thus can be different from place to place. More important to Cicero, though, is the *ius gentium*, the natural law that is installed by nature. These laws must be honored anywhere throughout humanity. This lesson will investigate the development of the concept of *Natural Law* from the ancients up to the justification of the United States' separation from the British Empire as outlined in the *Declaration of Independence*.

Key Terms:

inter alia	<i>Latin</i> Among Other Things
ius civile	<i>Latin</i> Customary Law
ius gentium	<i>Latin</i> Natural Law
Lex Romana Visigothorum	<i>Latin</i> The Roman Law of the Visigoths
Magna Graecia	<i>Latin</i> Greater Greece
Stoicism	<i>Greek</i> founded by Zeno around 300 BC, holding that a wise man must be free from passion, unmoved by joy or grief, and submissive to the Natural Law.

Background:

Many scholars point out that much of Roman culture was taken from the ancient Greeks. Greeks had settled in southern Italy in the 8th century BC and had established the prosperous colony of Magna Graecia that lasted into the 5th century BC. They also settled prosperous colonies in Sicily that lasted even longer, well into the 3rd century BC. Hellenic and Hellenistic mythology, philosophy, art, architecture, drama, *inter alia* where passed on to the Latin culture and then to the Western world through the Roman Empire.

One of the areas that the Romans made tremendous contributions to Western Civilization in their own right was in the realm of Law. Rome showed the world the value of the rule of law, as opposed to the rule of men. Kings, senators, governors, mayors, or judges could not ignore the rule of law. They could not just do as they pleased, or just nullify established laws. Even emperors who ignored the rule of law usually were removed through assassination. Romans honored their law and saw the danger of the "rule of men."

Some scholars trace the Roman legal traditions back to the Hellenic culture. They point to Aristotle's discussions of Natural Law in the *Politics*. Aristotle explains, "The Law is Reason without Passion." Other scholars look to myths that connect the origins of Rome's 12 Tablets back to Solon of Athens. Still others explain that Roman law was greatly influenced by Greek Stoic philosophy. Most of the Roman elite had been trained in Stoic philosophy in their youth. The Romans hired Greeks to teach Stoicism; however, most of the Roman elite did not become philosophers themselves. Rather, many chose to become lawyers, even if they had other occupations. For example, most of the Roman emperors were lawyers.

Romans believed that the law was what enabled the Empire to succeed and prosper, even more so than the military. Ironically, Rome's Gothic enemies, who had sacked the city in the 5th century AD, issued "*lex Romana Visigothorum*," the Roman law of the Visigoths. The Visigoths realized that they too could settle societal disputes without violence. They also had to respect all individuals as having the capacity to understand and obey the laws.

Cicero, the greatest Roman orator and essayist, provides modern society with a clear explanation of Natural Law. He explains that *ius civile* is law based on local custom and particularities and thus can be different from place to place. These are laws similar to local traffic ordinances or zoning restrictions and the like. More important to Cicero, there is the *ius gentium*, the natural law that is installed by nature. These laws must be honored anywhere throughout humanity. Humans, by their very nature as humans, are subject to these laws. These are universal laws that all members of a common humanity

must obey. Humans outside of this rational order had to be considered insane, retarded, or too young.

Procedures:

I. Students will read the excerpts below.

"The law of nature is the law instilled by nature in all creatures. It is not merely for mankind but for all creatures of the sky, earth, and sea . . . All peoples with laws and customs apply law which is partly theirs alone and partly shared by all mankind. . . . The law which natural reason makes for all mankind . . . is called 'the law of all peoples (ius gentium).'"

--- Section 1.2 of 6th century AD, Roman Emperor Justinian's *Institutes*¹

"If our nature were different, our duties would be different."

--- Thomas Aquinas, 12th century Italian theologian

II. Tell the students that they will sit in judgment of a Greek woman named Antigone. The Greek dramatist, Sophocles wrote a play well before Aristotle or Cicero ever developed their positions on Natural Law.

Antigone was the daughter of Oedipus. After her brothers Eteocles and Polynices killed each other, while fighting over the Theban crown, King Creon ordered that no one may bury Polynices. Creon considered Polynices a treacherous rebel. Polynices' dead body was to be left outside to be eaten by birds and dogs.

Antigone and her sisters discussed what to do about this outrage. Her sisters feared that Creon would imprison them or kill them if they defied his order. Antigone, on-the-other-hand, decided that there was an obligation much more fundamental than obeying the King's law. She went out and buried her brother's body. She did not believe it was correct to leave him outside unburied, even if it was contrary to the King's dictates.

Once Antigone was arrested, the King asked her in a sardonic manner, whether she realized who he was. He also asked whether she had heard the order, or whether she understood it. He then asked whether she realized what would happen to her for violating his law.

Antigone explained that a more fundamental law required her to bury her brother. The law she followed was more ancient than the King's authority. It was a universal precept, not just a customary practice.

III. Ask students the following questions

A. Did Antigone have a **right** to violate the King's law?

1. If so, what had King Creon done wrong?

2. If not, is taking the law into one's own hands a dangerous precedent?

¹ Daniel N. Robinson, "The Great Ideas of Philosophy, Part II Course Guidebook," *The Great Courses: Teaching that Engages the Mind*. The Teaching Company

IV. Read the portion of the Declaration of Independence below to students.

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights that among these are Life, Liberty and the pursuit of Happiness.

- A. Did the American Colonies have a right to violate the King's law?
1. If so, what had King George done wrong?
 2. If not, is taking the law into one's own hands a dangerous precedent?
 3. Did the Continental Congress appeal to Natural Law? Explain

Assessment:

In a formal paragraph, have students explain Aquinas' proposition, "If our nature were different, our duties would be different." Then, have students explain how Thomas Jefferson might explicate Aquinas' statement, after he had written the Declaration of Independence. Use the *New Jersey Registered Holistic Writing Rubric* for scoring.

Resources:

Bruce From, editor. *The American Republic: Primary Sources*. Indianapolis: Liberty Fund, 2002.

Ed. L. Miller, editor. *Questions that Matter: An Invitation to Philosophy*. New York: The McGraw-Hill Companies, Inc., 1996.

Daniel N. Robinson. "The Great Ideas of Philosophy, Course Guidebook," *The Great Courses: Teaching that Engages the Mind*. The Teaching Company, Chantilly, VA.

Supplemental Information

Cicero

Marcus Tullius Cicero made one of the greatest contributions ever made to Western Civilization. He demanded that moral standards stood paramount over government laws. These standards became known as Natural Law. Cicero believed that government is morally obliged to protect human life and private property. Its purpose for existence is to protect the person and the person's private assets. Unlike Cicero, both Plato and Aristotle argued that government could improve morals. Neither had thought of private property as an absolute claim to something over everything else. Cicero, on the other hand, taught that if government did not fulfill its prime purpose-- providing protection, the citizens then had a right to rebel.

Cicero was born January 6, 106 BC, on his grandfather's country estate in Arpinum, about 70 miles from Rome. His family was modestly socially connected; thus, they were not one of the leading families of Rome. They moved to the "Eternal City" when Cicero was eight, so he could get a better education. Like most Roman boys of the Patrician class, he received training in Homer, Euripides, and the Greek orators. His studies required that he attend lectures on law, philosophy, and rhetoric. Fortunately for Cicero, he was able to contemplate dialectics under Diodotus, the Stoic.

Through his studies, Cicero became one of the most eloquent rhetoricians in history. Nonetheless, many scholars claim the Cicero had very little original thought to offer. Surprisingly, Cicero might agree by saying that the Greeks had already exhausted all of the possible methods to pursue truth. Nevertheless, Cicero's great original contribution may be his union of rhetoric and philosophy. Cicero acknowledged that the Sophists had already merged the two disciplines, but he agreed with Plato and Socrates in that the relativistic Sophist philosophy was seriously lacking any real substance. Good philosophy created sound knowledge, but rhetoric made it practical and more effective in the real world.

Though not totally given to Stoic philosophy, Cicero transmitted the Greek Stoic idea of a moral higher law to the modern world. In his dialogue *De Legibus* he talked about the supreme law which existed through the ages, before the mention of any written law or established state. He also referred to it as the law of nature for the source of right. In *De Re Publica* he says:

Supplemental Information

The Justinian Code

Roughly 1,500 years ago Roman Emperor Justinian ordered all laws, case rulings, and law reviews and commentaries that had accumulated under Roman rule throughout Europe, the Middle East, and Northern Africa to be systematically organized into a Codex. The masterwork is known alternatively as the *Corpus Juris Civilis* – (The Body of Civil Law) or simply as the Justinian Code.

One thousand years before Justinian, during the years of the early Roman Republic, the codified rule of law established criteria for a more orderly societal organization. Tumultuous and arbitrary warlord kings and chieftains who commanded at will ruled neighboring kingdoms and tribes.

It was the wealthy Patrician class of the ancient Roman Kingdom that first structured a representative government according to an established rule of law. They organized a republic, in lieu of a hereditary monarchy. The Republic guaranteed free elections, with voting rights reserved exclusively to Roman citizens. The Patricians maintained a strict monopoly of power within the Roman Senate. Eventually, the lower or common class Plebeians challenged the Patricians' aristocratic republican rule. The struggle for power eventually produced violent conflicts between the two classes at the beginning of the fifth century BC. The Plebeians forced the Patricians to agree to the election of a number of officials called "tribunes." Tribunes were to look after the Plebeians' interests, and they had the power to veto unlawful Patrician acts.

The contest for power became known as "struggle of the orders," which eventually produced, the Law of the Twelve Tablets – a formalized and codified Roman law and constitution-- in 450 BC. Myth records that the Romans obtained these laws from the great Greek lawgiver, Solon of Athens, adding legendary legitimacy for a people who had tremendous respect for the past. The Tablets were considered a kind of charter of people's liberties for later Romans. In reality, though, the Tablets primarily codified ancient customs, including the enslavement of Plebeian debtors, one of the original causes of the revolt. Nonetheless, there was a clear codified and defined law. This set of laws represented a victory for the Plebeian classes in creating a codified legal status. They also received new political opportunities, within Roman society that developed very slowly over the next few centuries. The three main principles of Roman law that have been passed on to Western Civilization are single sovereignty, universality, and equity. This established order occurred well before Rome became an empire.

Roman law codified many commonly practiced principles still in use today such as: pre-trial processing, protocols followed during a trial, the enforcement of penalties, the rights of fathers, ownership and inheritance of property, real estate law, laws governing burials as well as others. The basic legal unit within Roman society was the family. There, according to the Tablets, the father reigned supreme and had the power of life and death over his wife and children. These laws applied exclusively to Roman citizens, which made citizenship in the Republic, and later, in the Empire a highly valued status.

As the Republic evolved into an Empire, requiring international agreements and understandings between the dioceses, provinces, and other sovereign states, additional laws and codes were added to Roman law. This international legal system, which declared all men are equal, was often referred to as *ius gentium*, or natural law. When blended with *ius civile*, or civil law over the centuries, Roman law gave birth to a common law applicable to all men and races that had dealings with the Romans.

Around 200 AD, Roman law addressed marriage, giving women the right to retain their personal property and to initiate divorce proceedings. Disputes were regularly settled in courts and past legal decisions were cited as precedents and used to settle cases. This method is still widely practiced today in both Europe and in the United States.

By the sixth century AD, Roman emperors no longer ruled from the city of Rome because the Germanic Visigoths and Lombards had overtaken Italy. In some cases the Germanic tribes accepted Roman law, such as the *Lex Romana Visigothorum*, or The Roman Law of the Visigoths. In other cases, they did not. The Emperor Constantine had earlier moved the Imperial capital to the more easily defended city of Byzantium (modern day Istanbul) during the early fourth century AD. The seat of Roman Imperial power was renamed Constantinople by the Emperor.

During the sixth century, Justinian I resided in the "Second Rome," or Constantinople and began to concentrate his attention back on the Italian peninsula to a degree that had not been possible for previous rulers. A temporary relaxation of tensions along the border with Persia allowed Justinian the luxury to look west and reconquer Italy. His Romanism stemmed from a combination of nostalgia for the old Empire, and his profound distaste for what he believed were the primitive manners of Germanic kings ruling the Roman homeland. Justinian was especially affronted by the fact that Rome was ruled by the Arian Christian Goths who seemed to ignore the Orthodox Catholic traditions of the official Christian Church. Traditions, he deeply cherished. Besides retaking Italy, Justinian, further reduced Germanic rule with the reconquest of the North African kingdom of the Vandals, another Germanic tribe, in 533 AD.

The most enduring of Justinian's accomplishments was his codification of Roman law. He wrote at the beginning of the Codex that a strong state rests on arms and law. The great Roman Empire that he reestablished must have the strength of organized unity. He knew that in order for the reconstituted Empire to prosper, scattered decrees of his predecessors must be collected in a well-ordered codex, so that every Roman citizen could retrieve and learn Imperial law in a timely fashion.

Justinian instituted many new laws, but his lasting contribution to Western Civilization is the classification of older laws that had been scattered throughout the Empire. The authorizing legislation formed a commission of ten lawyers, including the famous Tribonianus and Theophilus, who reduced the cumbersome and incoherent Theodosian Code into an orderly compendium. The Theodosian Code had been published in 438 AD. The commission included all of the new laws that had been introduced after 438, and they produced the new Codex in 529 AD. Justinian also commissioned scholars to accumulate a mass of answers given by previous authorities. The *Responsa Prudentum* organized acknowledged precedents, omitting all superfluties. The old law library of a 106 volumes was reduced to only fifty books. The *Pandects* (laws) were published in 530.

Justinian also had a law manual for students compiled from the commentaries of the second century legal scholar Gaius. His *Institutes* was also republished in 530 AD. Four years later, the whole work was revised, and a fourth part, the "Authentic," or "Novels," was added. This version contained later decisions made by Justinian and his courts.

Roman law forms the basis for the civil law of most modern European and Latin American countries and many terms and principles are part of English and American common law. In its day, the Codex combined the western and eastern legal traditions.

Justinian also tried to promote peace and union within the empire by including canon or Church law into his *Corpus Juris Civilis*. The union of peoples in the Empire would be anchored in the "most holy Catholic and Apostolic Church of God." The Codex is full of laws against paganism and apostasy was punished by death. The decrees of the four general ecumenical councils were incorporated into the civil law. There was no toleration of dissent. True to the ideal of Constantinople, the emperor conceived himself as "priest and king," the supreme head on earth of ecclesiastical (Church) matters, as well as in the State. This is the caesaropapist tradition of the (Eastern Roman) Byzantine Empire, the later Russian Empire and the Eastern or Greek Church. Here, Justinian generally deviated from the Latin tradition in the West, which regarded the Pope as the supreme spiritual power on Earth. The Emperor or the state held temporal power. The Latin tradition of dual sovereignty is the prime reason that the policy of separation of Church and State first developed in the West. In the East, the Church was subservient to the State.

Justinian's *Corpus Juris Civilis* is the basis of all canon law, and the basis of civil law in every European and Latin American country (and Louisiana in the United States). The codification was the world's first system of laws that addressed canon, criminal, and civil matters along with instructions on how to conduct courts of law. The Code was a major contribution made to the civilized world by an early Italian, Latin-speaking people known as the Romans.

Sources:

Esposito Russell R. "The Golden Milestone," *The New York Learning Library* 3rd Edition, 2003.

Adrian Fortescue. Transcribed by Joseph E. O'Connor "Justinian I," *New Advent, Catholic Encyclopedia*. <http://www.newadvent.org/cathen/08578b.htm>

Messini Giovanni. *Ravenna*. A. Longo Publisher: Ravenna Italy, 1988.

Supplemental Information

Thomas Aquinas

Thomas Aquinas, considered one of the greatest thinkers to ever live, was born in 1225 or 1227 at Rocca Secca, in the Kingdom of Naples. His parents, Landulph, Count of Aquino and Theodora sent young Thomas to the Benedictine Monastery at Monte Cassino when he was only five years old, according to custom. Thomas came from a very well connected, aristocratic family. They were related to Holy Roman Emperors Henry VI and Frederick II, and to the kings of Aragon, Castile, and France.

As Thomas matured, the Abbot at Monte Casino wrote to Landulph, telling him that a boy with such intellectual gifts should not be left in the monastery. In 1236 Landulph sent Thomas onto the University of Naples where he came under the influence of members of the Dominican religious order. At Naples, Thomas excelled under the tutelage of his preceptors, Pietro Martini and Petrus Hibernus. The young prodigy soon surpassed his teacher, Martini, at grammar, and he was then given over to Peter of Ireland, who trained him in logic and the natural sciences.

While in Naples, Thomas became attracted to the Dominican Friars. In 1244 the young nobleman joined the mendicant Order. Many Neapolitans could not understand why such a well-connected young savant would join an Order of poor, lowly friars. If he wanted to pursue an ecclesiastical career, Thomas could have easily become a secular (diocesan) priest, with an accelerated path toward the office of bishop or beyond.

When Theodora heard the news, she was torn between sublime joy and extreme sadness. Immediately, she ran to see her son to discuss the situation. The friars, suspecting that Theodora would take Thomas home, quickly sent him to Rome for protection. Theodora along with her two other sons reacted by chasing after Thomas. Thomas' brothers had served as soldiers under the Emperor Frederick. The two quickly captured their brother near Aquapendente and confined the hapless student to the fortress of San Giovanni at Rocca Secca. There, he was imprisoned for two years as his family labored earnestly to destroy his vocation. His brothers even tried to tempt him with a seductress. Thomas, however, true to his calling, chased the temptress away with a brand he took from the fire. In combating temptation, he would receive his greatest solace from constant prayer. After the seductress incident, Thomas' sisters were able to get him books to study.

Probably because of threats from Pope Innocent IV and Emperor Frederick II, Thomas was set free after two years of captivity. His brothers lowered him down the castle wall in a basket into the arms of the awaiting Dominicans. Thomas immediately pronounced his vows, and in Rome Innocent IV closely examined the young genius' motives for joining the Friars Preachers. Innocent pronounced that Thomas was sincere and forbade any further interference with his vocation.

Once in Cologne, Thomas studied under the illustrious theologian Albert the Great. While in school, Thomas' classmates viewed his shyness as evidence of him being dimwitted. Fortunately, when Albert heard the young Neapolitan's brilliant defense of a

difficult thesis, he exclaimed: "We call this young man a dumb ox, but his bellowing in doctrine will one day resound throughout the world."

Resound around the world it did. Thomas Aquinas of southern Italy is considered one of the greatest philosophers and thinkers to have ever lived. He studied the works of Aristotle, which had been lost to Western scholars for centuries, and he reconciled the ancient pagan philosophy with Christian teaching. Thomas' synthesis became the philosophical underpinning for Catholicism for the next seven hundred years. His methods became known as Scholasticism, and they dominated Western thought until the beginning of the Age of Reason and the Enlightenment.

While Thomas' greatest contributions to philosophy and to theology are discussed in his *Summa Contra Gentiles* (1259-1267), *Summa Theologiae* (1265-1273), *De Veritate* (1256-1259), *De Anima* (1259-1267), the "Angelic Doctor" also made momentous contributions to the field of law, especially in the context of Natural Law. Natural Law is the law that humans by their very nature must follow. If human behavior contradicts Natural Law, the behavior is considered disordered, something contrary to human nature itself. The American Founders appealed to this notion of Natural Law when declaring their independence from Great Britain. They reasoned that Britain's treatment of the American colonies had violated the natural order of things. They claimed that the British King George III had denied the colonists' their natural rights --- rights inherent to their humanity.

From Aristotle's *Ethics* and *Politics*, Thomas taught that there was a Natural Law that was distinguished from conventional or man-made law. Natural Law is derived directly from the natural order of things and from innate propensities of human nature. The law requires general rules of personal conduct and social conduct that are derived rationally from nature. Whereas, Aristotle distinguishes between two types of law, Thomas explains that there are four types of law. To the "Prince of Scholasticism," all humans, as part of God's plan, are subject to his eternal law. Eternal law is God's rule of the universe, his rule over all creation. This rule includes control of all scientific, supernatural, or moral laws. The eternal law is God's unalterable rule and control over all things. Natural law, however, is the portion of the eternal law that humans can comprehend. One does not have to be Christian to comprehend natural law, as it deduced through reason. Humans follow God's eternal law through the natural law-- an inborn instinct to do good things. Something is in accord with natural law if there is an intrinsic inclination to it and if nature does not produce the contrary. Thomas explains, ". . . the light of natural reason, whereby we discern what is good and what is evil, which is the function of the natural law, is nothing else than an imprint on us of a divine light."

Thomas, like Aristotle, does recognize man-made or human law as statutes and legislation contrived by humans. His fourth type of law is divine law, which is the specifically revealed will of God for humanity's supernatural or religious end. Aquinas claims that this law is God's revelation to humanity. Things like the Incarnation, or the Virgin Birth of Christ can only be known through revelation, not through reason. Thomas' views on law, in general, and natural law, in particular, found an audience in Christian Europe because Christians believed in a rational universe, and they believed that values have an objective foundation.

Natural Law continued to find audiences throughout Europe. By the sixteenth century Richard Hooker took great care to discuss Natural Law and he was followed in the seventeenth century, by English philosophers Algernon Sidney and John Locke. From these precedents, the American Founders could begin to justify revolution and certain basic rights inherit to humanity, by virtue of their humanity. The Founders believed that inalienable rights were prior to government, not privileges given by government. Great thinkers like Thomas Aquinas of Rocca Secca put Western thought firmly on the path to comprehending that "If our nature were different, our duties would be different" and conversely, if our nature were different, our rights would be different.

Sources:

D. J. Kennedy, transcribed by Kevin Cawley. *New Advent, Catholic Encyclopedia*.
<http://www.newadvent.org/cathen/14663b.htm>.

John Feilding, "The Founding Father's View of Natural Law," *The Christian Statesman*,
Volume 42, Number 1.

Ian P. McGreal, editor. *Great Thinkers of the Western World*. New York: Harper Collins,
Publishers, 1992.

Ed. L. Miller, *Questions that Matter: An Invitation to Philosophy*. New York: The
McGraw-Hill Companies, Inc., 1996.

New Jersey Student Learning Standards Social Studies

6.1.12.A.2.a Assess the importance of the intellectual origins of the Foundational Documents (i.e., Declaration of Independence, the Constitution, and Bill of Rights) and assess their importance on the spread of democracy around the world.

English Language Arts

RI.9-10.1. Accurately cite strong and thorough textual evidence, (e.g., via discussion, written response, etc.) and make relevant connections, to support analysis of what the text says explicitly as well as inferentially, including determining where the text leaves matters uncertain.

RI.9-10.2. Determine a central idea of a text and analyze how it is developed and refined by specific details; provide an objective summary of the text.

RI.9-10.4 Determine the meaning of words and phrases as they are used in a text, including figurative, connotative, and technical meanings; analyze the cumulative impact of specific word choices on meaning and tone (e.g., how the language of a court opinion differs from that of a newspaper).

RI.9-10.6. Determine an author's point of view or purpose in a text and analyze how an author uses rhetorical devices to advance that point of view or purpose.

RI.9-10.7. Analyze various perspectives as presented in different mediums (e.g., a person's life story in both print and multimedia), determining which details are emphasized in each account.

RI.9-10.8. Describe and evaluate the argument and specific claims in a text, assessing whether the reasoning is valid and the evidence is relevant and sufficient; identify false statements and reasoning.

RI.9-10.9. Analyze and reflect on (e.g. practical knowledge, historical/cultural context, and background knowledge) documents of historical and literary significance, (e.g., Washington's Farewell Address the Gettysburg Address, Roosevelt's Four Freedoms speech, King's "Letter from Birmingham Jail", Declaration of the Rights of Man and Citizen, U.N. Universal Declaration of Human Rights, etc.), including how they relate in terms of themes and significant concepts

RI.11-12.1. Accurately cite strong and thorough textual evidence, (e.g., via discussion, written response, etc.), to support analysis of what the text says explicitly as well as inferentially, including determining where the text leaves matters uncertain.

RI.11-12.2. Determine two or more central ideas of a text, and analyze their development and how they interact to provide a complex analysis; provide an objective summary of the text.

RI.11-12.4 Determine the meaning of words and phrases as they are used in a text, including figurative, connotative, and technical meanings; analyze how an author uses and refines the meaning of a key term or terms over the course of a text (e.g., how Madison defines faction in Federalist No. 10).

RI.11-12.6 Determine an author's point of view or purpose in a text in which the rhetoric is particularly effective, analyzing how style and content contribute to the power, persuasiveness or beauty of the text.

RI.11-12.7 Integrate and evaluate multiple sources of information presented in different media or formats (e.g., visually, quantitatively) as well as in words in order to address a question or solve a problem.

RI.11-12.8. Describe and evaluate the reasoning in seminal U.S. and global texts, including the application of constitutional principles and use of legal reasoning (e.g., in U.S. Supreme Court majority opinions and dissents) and the premises [...]

RI.11-12.9. Analyze and reflect on (e.g. practical knowledge, historical/cultural context, and background knowledge) documents of historical and literary significance for their themes, purposes and rhetorical features, including primary source documents relevant to U.S. and/or global history.

RH.9-10.1. Accurately cite strong and thorough textual evidence, to support analysis of primary and secondary sources, attending to such features as the date and origin of the information.

RH.9-10.2. Determine the theme, central ideas, key information and/or perspective(s) presented in a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.

RH.9-10.4. Determine the meaning of words and phrases as they are used in a text, including vocabulary describing political, social, or economic aspects of history and the social sciences; analyze the cumulative impact of specific word choices on meaning and tone.

RH.9-10.6. Compare the point of view of two or more authors in regards to how they treat the same or similar topics, including which details they include and emphasize in their respective accounts.

RH.9-10.9. Compare and contrast treatments of the same topic, or of various perspectives, in several primary and secondary sources; analyze how they relate in terms of themes and significant historical concepts.

RH.11-12.1. Accurately cite strong and thorough textual evidence, (e.g., via

discussion, written response, etc.), to support analysis of primary and secondary sources, connecting insights gained from specific details to develop an understanding of the text as a whole.

RH.11-12.2. Determine the theme, central ideas, information and/or perspective(s) presented in a primary or secondary source; provide an accurate summary of how key events, ideas and/or author’s perspective(s) develop over the course of the text.

RH.11-12.6. Evaluate authors’ differing perspectives on the same historical event or issue by assessing the authors’ claims, reasoning, and evidence.

RH.11-12.8. Evaluate an author’s claims, reasoning, and evidence by corroborating or challenging them with other sources.

W.9-10.1. Write arguments to support claims in an analysis of substantive topics or texts, using valid reasoning and relevant and sufficient evidence.

W.9-10.1a. Introduce precise claim(s), distinguish the claim(s) from alternate or opposing claims, and create an organization that establishes clear relationships among claim(s), counterclaims, reasons, and evidence.

W.9-10.1b. Develop claim(s) and counterclaims avoiding common logical fallacies, propaganda devices, and using sound reasoning, supplying evidence for each while pointing out the strengths and limitations of both in a manner that anticipates the audience’s knowledge level and concerns.

W.9-10.1c Use transitions (e.g. words, phrases, clauses) to link the major sections of the text, create cohesion, and clarify the relationships between claim(s) and reasons, between reasons and evidence, and between claim(s) and counterclaims.

W.9-10.1d. Establish and maintain a style and tone appropriate to the audience and purpose (e.g. formal and objective for academic writing) while attending to the norms and conventions of the discipline in which they are writing.

W.9-10.1e. Provide a concluding paragraph or section that supports the argument presented.

W.9-10.2. Write informative/explanatory texts to examine and convey complex ideas, concepts, and information clearly and accurately through the effective selection, organization, and analysis of content.

W.9-10.2a. Introduce a topic; organize complex ideas, concepts, and information to make important connections and distinctions; include formatting (e.g., headings), graphics (e.g., figures, tables), and multimedia when useful to aiding comprehension.

W.9-10.2b. Develop the topic with well-chosen, relevant, and sufficient facts,

extended definitions, concrete details, quotations, or other information and examples appropriate to the audience’s knowledge of the topic.

W.9-10.2c. Use appropriate and varied transitions to link the major sections of the text, create cohesion, and clarify the relationships among complex ideas and concepts.

W.9-10.2d. Use precise language and domain-specific vocabulary to manage the complexity of the topic.

W.9-10.2e. Establish and maintain a style and tone appropriate to the audience and purpose (e.g. formal and objective for academic writing) while attending to the norms and conventions of the discipline in which they are writing.

W.9-10.2f. Provide a concluding paragraph or section that supports the argument presented (e.g., articulating implications or the significance of the topic).

W.9-10.3. Write narratives to develop real or imagined experiences or events using effective technique, well-chosen details, and well structured event sequences.

W.9-10.3.a. Engage and orient the reader by setting out a problem, situation, or observation, establishing one or multiple point(s) of view, and introducing a narrator and/or characters; create a smooth progression of experiences or events.

W.9-10.3b. Use narrative techniques, such as dialogue, pacing, description, reflection, and multiple plot lines, to develop experiences, events, and/or characters.

W.9-10.3.c. Use a variety of techniques to sequence events so that they build on one another to create a coherent, complete and comprehensive piece.

W.9-10.3.d. Use precise words and phrases, telling details, and sensory language to convey a vivid picture of the experiences, events, setting, and/or characters.

W.9-10.3c. Provide a conclusion that follows from and reflects on what is experienced, observed, or resolved over the course of the narrative.

W.9-10.5. Develop and strengthen writing as needed by planning, revising, editing, rewriting, trying a new approach, or consulting a style manual (such as MLA or APA Style), focusing on addressing what is most significant for a specific purpose and audience. (Editing for conventions should demonstrate command of Language standards 1–3 up to and including grades 9–10)

W.11-12.1. Write arguments to support claims in an analysis of substantive topics or texts, using valid reasoning and relevant and sufficient evidence.

W.9-10.1a. Introduce precise, knowledgeable claim(s), establish the significance of the claim(s), distinguish the claim(s) from alternate or opposing claims, and create an organization that logically sequences claim(s), counterclaims, reasons, and evidence.

W.9-10.1b. Develop claim(s) and counterclaims avoiding common logical fallacies and using sound reasoning and thoroughly, supplying the most relevant evidence for each while pointing out the strengths and limitations of both in a manner that anticipates the audience's knowledge level, concerns, values, and possible biases.

W.9-10.1c Use transitions (e.g. words, phrases, clauses) to link the major sections of the text, create cohesion, and clarify the relationships between claim(s) and reasons, between reasons and evidence, and between claim(s) and counterclaims.

W.9-10.1d Establish and maintain a style and tone appropriate to the audience and purpose (e.g. formal and objective for academic writing) while attending to the norms and conventions of the discipline in which they are writing.

W.9-10.1e. Provide a concluding paragraph or section that supports the argument presented (e.g., articulating implications or the significance of the topic).

W.11-12.2. Write informative/explanatory texts to examine and convey complex ideas, concepts, and information clearly and accurately through the effective selection, organization, and analysis of content.

W.11-12.2a. Introduce a topic; organize complex ideas, concepts, and information so that each new element builds on that which precedes it to create a unified whole; include formatting (e.g., headings), graphics (e.g., figures, tables), and multimedia when useful to aiding comprehension.

W.11-12.2b. Develop the topic thoroughly by selecting the most significant and relevant facts, extended definitions, concrete details, quotations, or other information and examples appropriate to the audience's knowledge of the topic.

W.11-12.2c. Use appropriate and varied transitions and syntax to link the major sections of the text, create cohesion, and clarify the relationships among complex ideas and concepts.

W.11-12.2d. Use precise language, domain-specific vocabulary, and techniques such as metaphor, simile, and analogy to manage the complexity of the topic.

W.11-12.2e. Establish and maintain a style and tone appropriate to the audience and purpose (e.g. formal and objective for academic writing) while attending to the norms and conventions of the discipline in which they are writing.

W.11-12.2f. Provide a concluding paragraph or section that supports the argument presented (e.g., articulating implications or the significance of the topic).

W.11-12.5. Develop and strengthen writing as needed by planning, revising, editing, rewriting, trying a new approach, or consulting a style manual (such as MLA or APA Style), focusing on addressing what is most significant for a specific purpose and audience. (Editing for conventions should demonstrate command of Language standards 1–3 up to and including grades 11-12.)