

UNIT 1

FOUNDATIONS OF AMERICAN GOVERNMENT

- [Learning Plan \(Activities\)](#)
- [Course Resources](#)
- [Scope & Sequence](#)

GOVERNMENT

Unit Description and Length:

7 weeks

Students learn about different types of government and explore how the US government developed into a constitutional federal republic.

Standards:

C.1.1	Describe reasons why government is necessary, explaining competing ideas about the role of government in society
C.1.2	Compare and contrast the structure and leadership of different forms of government in various nations
C.1.3	Analyze the influence of the Magna Carta, English common law, and the English Bill of Rights in creating a limited form of government in the United States
C.1.4	Explain the influence of Enlightenment philosophers, the Great Awakening, and the American Revolution on the American founding documents
C.1.5	Explain the issues involved in various compromises or plans leading to the creation of the United States Constitution
C.1.6	Analyze the underlying principles and concepts embodied in primary documents that influenced the creation of the United States Constitution
C.2.6	Differentiate between loose and strict constructionist interpretation of the Constitution by examining the meaning and implications of the Bill of Rights and subsequent amendments

Content:

- Government is created by the people for the people.
- The US Government is created through the merging of several ideas from history.
- Representation played a significant role in the development of our Constitution.
- The Bill of Rights and the amendment process is vital to the establishment of the Constitution.
- The Constitution is viewed and interpreted

Claim(s):

Did the Founding Fathers make the best choices for the United States? (Task 7)

Sub-Claim(s):

- Why do societies create governments? (Task 1)
- Upon what historical precedents did the Founding Fathers draw their influences? (Task 2)
- To what extent were the Founding Fathers influenced by the principles

differently and each way has a purpose.

found in other governmental documents? (Task 3)

- How did we get our government? (Task 4)
- To what extent did the amendments play within developing the Constitution? (Task 5)
- How should the Constitution be interpreted? (Task 6)

Instructional Task:

Task 1 - Why Government? (Approximately 2 Class Periods)

Task 2 – Influences on US Government (Approximately 5-8 Class Periods)

Task 3 – Basic Principles of American Government (Approximately 3-5 Class Periods)

Task 4 – The Constitutional Convention (Approximately 8-12 Class Periods)

Task 5 – How did amendments play a vital role in the development of the Constitution?(Approximately 3-5 Class Periods)

Task 6 – Interpreting the Constitution (Approximately 3-5 Class Periods)

Task 7 – Culminating Task: Did the Founding Fathers make the best choices for the United States? (1 Class Period)

(OPTIONAL) Government Unit 1 Consumable Handout- This is provided with all the handouts for unit 1 attached together if the teacher wants to create a consumable for students.

Task 1 -

Why Government? (Approximately 2 Class Periods)

Standards:

C.1.1	Describe reasons why government is necessary, explaining competing ideas about the role of government in society
C.1.2	Compare and contrast the structure and leadership of different forms of government in various nations

Connection to the Claim: The government originated because a group of people came together to form a “more perfect union,” which is known as a federal republic.

Claim: Did the Founding Fathers make the best choices for the United States?

Sub-claim Question: Why do societies create governments?

Academic Vocabulary: Government, *Types of Government: Democracy, Oligarchy, Monarchy, etc.*

Materials:

- [Why do Governments Exist? \(Presentation\)](#)
- [Hobbes and Locke Documents](#)
- [Social Studies LEAP Rubric- Societies and Government](#)
- [Conversation Stems and Discussion Tracker](#)

Instructional Process:

1. Post and read aloud the compelling question for the task: "Why do governments exist?"
2. Say: "Let's begin with a hypothetical situation. Pretend you are on an airplane that crashes on an uninhabited island in the middle of the ocean. There is no possibility of rescue. The island contains some fresh water and resources that could be used for food and shelter, but none of the supplies are abundant."
3. Direct students to individually write down notes about what might occur on the island as the passengers try to survive. Then discuss as a class. Possible questions:
 - In the absence of any government, what would determine the way people act toward one another?
 - Would you expect more cooperation or conflict?
 - How might the physically and/or intellectually strong take advantage of weaker individuals?
 - How might individuals respond if they feel threatened or mistreated?
4. Encourage students to disagree with one another and end the discussion before consensus is reached. Use the term state of nature to describe the island immediately after the crash. Read or project the following definition:
 - In political theory, the real or hypothetical condition of human beings before or without political association

The Sources:

5. Say: "Now we are going to read two sources by philosophers with different perspectives about human nature and what life would be like in a state of nature." Provide students with copies of the excerpts from [The Leviathan](#) by Thomas Hobbes and the excerpts from [The Second Treatise of Civil Government](#) by John Locke. Consider projecting and read aloud the excerpts from *The Leviathan* by Thomas Hobbes, modeling summarization skills by chunking the text into sections. Have student annotate the text using the sub-claim question of "why do

societies establish governments?" Write bulleted summary on the board using the provided graphic organizer. Also, have students note the connection/evidence to help them answer the claim question.

- **Optional Assignment:** If students need more background knowledge on the social contract, natural rights, and The Enlightenment use the following document: ["The Enlightenment" mini-lesson by iCivics.](#)

6. **Formative Assessment (Developing a claim and supporting with evidence):** Direct students to independently read the excerpts from *The Second Treatise of Civil Government* by John Locke and then write a one-bullet-point summary for each paragraph with a partner in the graphic organizer. Using this graphic organizer, students in their groups will begin to think about how these individuals began to influence change. Also, have students note the connection/evidence to help them answer the claim question.

7. **Formative Assessment:** Have students complete the split page graphic organizer using the questions below contained in the Hobbes and Locke Document. Following the complete of the split page notes organizer, conduct a discussion to compare the sources. Encourage students to use the conversation stems during the discussion and provide evidence from the texts to support their answers. Possible questions:

- How does Hobbes' understanding of human nature inform his perspective about the conditions of life in a state of nature?
- Both authors use the term equality. Compare how they use the term. How does each author's understanding of equality contribute to his argument?
- How do Locke's beliefs about conditions in a state of nature differ from Hobbes'?
- Answer the following question first as Hobbes and then as Locke: Why do societies establish governments?
- Say: "Returning to the island scenario, imagine a leader emerges. His rule brings order and stability, but he also demands total obedience from his subjects and severely restricts their freedom. How might Hobbes's perspective on the government he established differ from Locke's?"

Types of Government: *Optional if students need to review the types of government that exist around the world and throughout history.*

8. Use the ["Who Rules?" lesson plan developed by iCivics](#) to teach students about the types of government. Conclude the lesson after completing Activity A as a class. Note: a free teacher account must be created to access the lesson plan and PowerPoint.

10. **Summative Assessment (Expression of Claim):** Instruct students to provide written responses to the following question:

- Why do societies create governments? (1-2 Paragraphs) Use the claims and content rubric to assess.
- **Optional Opportunities:**
 - Assuming 850 people survived the plane crash, which type of government would you recommend for the island? In your rationale, be sure to discuss both the advantages and disadvantages of the type of government you chose. (1-2 paragraphs) **(Only if students completed the optional Types of Government Lesson)**
 - Would your decision be different if fewer people survived the crash? Why or why not? (1 paragraph)
 - If the island's population grew quickly over the next few generations, would you recommend changing the form of government? Why or why not? (1 paragraph)

Task 2 -

Influences on the US Government (Approximately 5-8 Class Periods)

Standards:

C.1.3	Analyze the influence of the Magna Carta, English common law, and the English Bill of Rights in creating a limited form of government in the United States
C.1.4	Explain the influence of Enlightenment philosophers, the Great Awakening, and the American Revolution on the American founding documents
C.1.6	Analyze the underlying principles and concepts embodied in primary documents that influenced the creation of the United States Constitution

Connection to the Claim: The Founding Fathers had a variety of influential documents to establish a government. Students will evaluate the various documents that influenced the creation of our government.

Claim: Did the Founding Fathers make the best choices for the United States?

Sub-claim Question: Upon what historical precedents did the Founding Fathers draw their influences?

Academic Vocabulary: Magna Carta, Rule of Law, Due Process of Law

Materials:

- ["Magna Carta: Cornerstone of the US Constitution"](#)- Background Information for students
- [Influences on the US Government Sources and Organizers](#)
- [Declaration Comparison Graphic Organizer Sample Answers](#)
- [Conversation Stems and Discussion Tracker](#)

Instructional Process:

1. Prior to going through the documents and engaging students within the lesson consider reviewing the background information/article with your students to ensure they have a firm understanding of the Magna Carta.
2. Introduce the topic by saying, "Now that we have explored why societies institute governments and the types of governments that exist, we will begin our investigation into the origins of our government."
3. To activate prior knowledge, say, "You have studied the Declaration of Independence in previous social studies courses. Take a moment to jot down some notes about what you remember." Ask students to share their responses. If necessary, correct major misconceptions but refrain from elaborating on student responses at this time. In most cases, a student will identify Thomas Jefferson as the author. If no one does, specifically ask, "Who wrote the Declaration of Independence?"
4. Post and read aloud the compelling question for the topic (overarches both tasks): "*How revolutionary were the ideas behind the American Revolution?*"
5. Read and project the following definition for revolutionary:
 - of, pertaining to, characterized by, or of the nature of a revolution, or a sudden, complete, or marked change radically new or innovative; outside or beyond established procedure, principles, etc.
6. Say: "To answer this question, we will compare the Declaration of Independence to a number of other sources to locate its major philosophical and historical influences. After comparing those sources to the Declaration of Independence, you will engage in a [philosophical chairs debate](#). The prompt for the debate will be: *Thomas Jefferson: copycat or revolutionary thinker?*"

Part 1: The Founding Fathers Are Influenced by the Magna Carta

Source 1: The Magna Carta

7. Say: "The first influence we will consider is the Magna Carta."
8. Provide students with copies of the Magna Carta Document. Read aloud the introductory text in italics. Have students turn to the graphic organizer. Read aloud and discuss the four themes. Clarify any misconceptions about these themes.
9. Inform students that as they read they will focus on citing evidence that correlate with these themes.

10. Divide the class into small groups. Assign each student in the group a different section of the text to read. Demonstrate for students how to chunk the text into smaller sections. These sections can be a paragraphs for easier reading and interpretation.
11. **Formative Assessment (Supporting Evidence):** Direct the students to complete the graphic organizers in their groups by finding a few key examples for each theme. Note: Students do not need to find every relevant passage. The idea is to acquaint them with the document and to give them an opportunity to find evidence to support each of the four major themes. Answers to the graphic organizer will vary.
12. Briefly review the major themes found in Magna Carta as a class.
13. Clarify terms such as rule of law and due process of law.
14. Focus on the importance of each of the four themes to individual rights and liberties.
15. **Formative Assessment (Connection to Claim):** Conclude by asking students, “under what precedents did the Founding Fathers draw from the Magna Carta?” Consider having students write a response in paragraph form to the question as an exit ticket.

Part 2: Diving into the Declaration of Independence and its Influence

Source 2: The Declaration of Independence

16. Provide students with copies of the Declaration of Independence. Model how to chunk the text into sections. Following the chunking of the text, consider model by reading the first paragraph of the text with your students. Next, have students conduct a second read focusing on “keywords.” Have students select 10 words from the paragraph that will help them summarize the text using those words. Finally, have them summarize the paragraph in their own words. See the example below as a reference. Consider having students do this for each chunk. Do this until you reach the list of grievances. Also, have students annotate the text as they read/interpret the Declaration of Independence. *Note: Students will use the Declaration of Independence again in later tasks.* To avoid making additional copies, ask them to save the annotated version.

Keywords: Dissolve, political bands, separate, laws of nature, respect, mankind, causes	Summary: <i>Mankind (United States) is writing to dissolve the political bands by separating due to the laws of nature and respect.</i>
	In your own words: <i>The United States felt the need to remove themselves from Britain because they felt the treatments they were receiving was unfair. They believed a higher being entitled them to better treatment as human beings.</i>

17. Prior to having students engage in the list of grievances, project the Magna Carta graphic organizer again. Briefly review the four key themes and write a system of shorthand notation on the board (e.g. abbreviate "rule of law" as "RoL"). Instruct students to look for examples of breaches of the themes and annotate the text accordingly read the list of grievances. [Optional List of Grievances\(Simplified\)](#): This list simplifies the list of grievances for students, allow students to amend the annotations they made to the grievances section of the Declaration if using both.
18. **Formative Assessment (Expression of Claim):** Conduct a class discussion. Ask: "Based on the list of grievances, was the Revolutionary War justified?" This discussion should be an expression of the students claim based on sources 1 and 2.

Part 3: The Comparison

Source 3 & 4: John Locke Excerpt and Virginia Declaration of Rights

19. Using the Influences on the US Government Sources and Organizers, have students turn to the [Declaration of Independence](#) graphic organizer. Explain to students that they will gather information that is both similar and different using the Declaration of Independence, Section 225, [The Second Treatise of Civil Government](#), John Locke, 1690, and the excerpt from the [Virginia Declaration of Rights](#), June 12, 1776
20. Direct students to independently read Section 225, [The Second Treatise of Civil Government](#), John Locke, 1690 and the excerpt from the [Virginia Declaration of Rights](#), June 12, 1776 document and locate the portion of the [Declaration of Independence](#) that is similar to the document's text. Have students annotate or tag this within the text.
21. **Formative Assessment:** Working in small groups, instruct students to analyze the extent of the connection and influence of the ideas in each document to the wording in specific sections of the Declaration. Direct students to complete graphic organizers. Discuss completed Declaration of Independence graphic organizers as a class. *Note: If collecting for a grade, either return graphic organizers to students before completing the next step or wait to collect until after the debate.*
22. **Additional Source Opportunities:**
 - a. Primary Sources:
 - i. [Malden, Massachusetts, Declaration of Independence](#)
 - b. Secondary Sources:
 - i. ["What Was the Declaration of Independence?"](#)
 - ii. ["The Pre-Revolutionary Period and the Roots of the American Political Tradition"](#)

Part 4: The Debate

23. Direct students to turn to the Thomas Jefferson: Copycat or Revolutionary Thinker graphic organizer. Direct students to prepare for the philosophical chairs debate by reviewing all of the primary sources already read in class and adding evidence to the graphic organizer. If students engaged in the additional source opportunities be sure to include those also.
24. Direct students to add claims and evidence to their Thomas Jefferson: Copycat or Revolutionary Thinker graphic organizers.

Once students have sufficient evidence, engage the class in a philosophical chairs debate in response to the prompt: *Thomas Jefferson: copycat or revolutionary thinker?* Direct students to use evidence from the various sources to support their positions. Encourage students to use the conversation stems and assess participation with a discussion tracker.

Task 3 -

Basic Principles of American Government (Approximately 2-5 Class Periods)

Standards:

C.1.3	Analyze the influence of the Magna Carta, English common law, and the English Bill of Rights in creating a limited form of government in the United States
C.1.6	Analyze the underlying principles and concepts embodied in primary documents that influenced the creation of the United States Constitution

Connection to the Claim: The Founding Fathers had a variety of influential documents to establish a government. Students will evaluate the various documents that influenced the creation of our government.

Claim: Did the Founding Fathers make the best choices for the United States?

Sub-claim Question: To what extent were the Founding Fathers influenced by the principles found in other governmental documents?

Academic Vocabulary: Rights, Compact, Confederation, Principle

Materials List:

- [Principals of Government Sources and Organizers](#)

- Conversation Stems and Discussion Tracker

1. In the previous task, students were engaged in analyzing documents that influenced the United States government based on the four themes. Within this task, students will engage with other documents that influenced the foundational principles our government is founded upon.
2. Project and read aloud the compelling question for this task: *To what extent were the Founding Fathers influenced by the principles found in other governmental documents?*
3. Read and project the following definition of principle:
 - A comprehensive and fundamental law, doctrine, or assumption; a rule or code of conduct; the laws or facts of nature underlying the working of an artificial device
4. Say, "To answer this question, we will complete a Jigsaw by working in pairs to analyze the texts. After completing the Jigsaw and presenting information, we will create a poster that determines which document had the most influence on American government and its principles."
5. Provide students a copy of the Principles of Government Sources and Organizers handout. Use the jigsaw cooperative learning strategy to study the three primary documents that have greatly influenced the Principles of American government below:
 - Source 1: [Mayflower Compact](#)
 - Source 2: [English Bill of Rights](#)
 - Source 3: [Articles of Confederation](#)

Part 1: Modeling Using the Mayflower Compact

6. Using the Mayflower Compact, model for your students the breakdown of the compelling question. After students understand the analytical question, proceed to read the Mayflower Compact with your students. Consider conducting multiple reads and demonstrating how to annotate a text and use the split-page note taking strategy.

Part 2: Expert Research (Developing a claim with supporting evidence)

7. Place students in pairs and assign each student a separate source. Either source 2 or source 3. Each student is responsible for annotating their sources and completing the graphic organizer associated with it. The student will gather evidence to answer the compelling question of: To what extent were the Founding Fathers influenced by the principles found

in other governmental documents?

8. **Formative Assessment:** Each student will study their primary document and complete the split page notes along with the questions on their graphic organizers.

Part 3: Pair Sharing

9. Each member will now share the information obtained from their research/split-page notes with their partner. The students will assist in using the document they mastered in helping the other student identify how their source contributes to the development of principles within American Government.
10. **Formative Assessment (Expression of Claim):** Once all students have presented the information on their primary document, conduct a class discussion of the documents. Ask volunteers to share which document they think had the most influence on the American government and why. Have student cite evidence to back their claim up.

Part 3: Gallery Walk

11. **Summative Assessment (Expression of Claim):** Using the sources and the split-page notes, have students reflect on how these principles are incorporated in the American government and which of them most affects their lives. The foundation to their poster is the compelling question of, *to what extent were the Founding Fathers influenced by the principles found in historical documents*. Either in their pairs or individually, students will create a poster with their claim to as to why the document of their choosing represents the principles of American government the most. Have students go around the room to several posters to add comments citing similar evidence or disagreeing by citing evidence from another document they believe represents American principles more.

Task 4 -

The Constitutional Convention (Approximately 8-12 Class Periods)

Standards:

C.1.5	Explain the issues involved in various compromises or plans leading to the creation of the United States Constitution
C.1.6	Analyze the underlying principles and concepts embodied in primary documents that influenced the creation of the United States Constitution
C.2.6	Differentiate between loose and strict constructionist interpretation of the Constitution by examining the meaning and implications of the Bill of Rights and subsequent amendments

Connection to the Claim: By investigating how the framers crafted and ratified the Constitution, students will understand how amendments played a key role in the development of this document. Additionally, students will understand how compromises came into the decision making processes.

Claim: Did the Founding Fathers make the best choices for the United States?

Sub-claim Question: How did we get our government?

Academic Vocabulary: Compromise, Convention, Constitution, Divisive

Materials List:

- [Constitutional Convention Sources and Graphic Organizers \(Pairs\)](#)
- [Constitutional Convention Sources and Graphic Organizers \(Groups\)](#)
- [Social Studies Content Rubric- Constitutional Convention](#)
- [Representation DBQ](#)
- [Social Studies Content and Claims Rubric-Representation in Government \(Optional\)](#)
- [A Plan for the Executive and Graphic Organizer](#)
- [Conversation Stems and Discussion Tracker](#)

Instructional Process:

1. Say, "For this topic, you will perform an in-depth investigation into the creation of the US Constitution, our framework for government and supreme law. Before we begin investigating, we need to develop a question to guide our inquiry."
2. Project and read aloud the first five paragraphs of the "History and its Representation" section of the "Philosophy of History" entry from the Stanford Encyclopedia of Philosophy. Pause after complex sentences and vocabulary to model comprehension skills. Stop reading before the paragraph beginning "And, of course,..."
3. Discuss as a class. Ask:
 - "What kinds of questions do historians seek to answer?"
 - "If we are interested in learning about the origins of our government (or where it came from), what question should we ask?" (Take notes on the board as students respond. Discuss the implications/values and limitations of the questions students suggest.)
4. Support students to develop a compelling question for the task that is similar to "How did we get our government?" or "Why do we have the government we have?" Post the compelling question for the task in a location where students will be able to see it

throughout the investigation.

5. To activate prior knowledge, say, "As you studied in grade 7, we formally won independence from Great Britain in the 1783 Treaty of Paris; however, the US Constitution did not come into effect until 1789. What happened during the intervening years?" Depending on how much students recall, continue to ask leading questions until students refer to the Articles of Confederation by name or to the idea that an earlier framework for government existed. To gauge content background, continue questioning students about the weaknesses of the Articles of Confederation until their recall has been exhausted. Correct major misconceptions if necessary, but refrain from frontloading the content before students engage with the texts.

Part 1: Why a Constitutional Convention?

6. Post and read aloud the first supporting question for the task: "Why was the Constitutional Convention called?"
7. **Grouping Options:** Divide the class into seven groups or pairs. If you are assigning your students into pairs, students will complete the assignment using only the Federalist No. 15 excerpt and the James Warren letter. If your students are completing and presenting the information to the class, they will be assigned one primary source per group. Assign each group one of the following sources:
 - Constitutional Convention Sources and Graphic Organizers (Pairs)
 - Constitutional Convention Sources and Graphic Organizers (Groups)
8. **Formative Assessment (Developing a Claim):** Provide students with copies of the assigned source. Direct them to read and complete the SOAPStone Graphic Organizer. Also, have students annotate the text using the compelling question as their foundation (meaning evidence that will assist in answering the prompt.) After reading and completing the SOAPStone graphic organizer, have them answer the following questions in their groups: (Consider having students bag and tag their evidence)
 - What is your document, who is the writer, and why is he writing?
 - What problems with the political system or the Articles of Confederation does the writer describe?
 - What does the writer identify as the causes of the problems?
 - Does the writer think the problems can be fixed? If so, how?

- How significant do you think these problems were?

9. **(Optional)Presentation/Gallery Walk:** If students were assigned into groups and given one article within each group, allow groups class time to briefly report out on their assigned document. Project the documents for presenters to refer to as they discuss. Instruct audience members to take notes on problems identified and potential consequences.
10. **Summative Assessment (Expression of Claim):** Instruct students to write an extended paragraph (half to one page but not a full essay) in response to the supporting question: "Why was the Constitutional Convention called?" Collect and grade for content accuracy using the content rubric.

Part 2: Divisive Issues in Developing a Constitution

11. Say, "In May of 1787, 12 states (Rhode Island boycotted) met in Philadelphia to amend the Articles of Confederation. Deliberations remained secret during the meeting, but when the Philadelphia Convention concluded, the delegates returned to their states with an entirely new framework for government, the US Constitution. Next we will deeply immerse ourselves in the issues and arguments that occurred during the Constitutional Convention to try to understand how the Founding Fathers came to decisions and the rationales behind their choices."
12. Say: "The first issue we will investigate is the question of representation. You will use the notes James Madison took about the Constitutional Convention in addition to the submitted plans of Virginia and New Jersey to answer the following supporting question: Why was representation a divisive issue and how was it resolved? Explain that Madison's notes have been criticized as incomplete and doctored after the fact, but that they are the most extensive record of the debates that took place during the convention."
13. Divide students into mixed-ability groups or "investigation teams."
14. Provide students with copies of the Representation DBQ:
 - The Virginia Plan, introduced by Edmund Randolph, May 29, 1787
 - The New Jersey Plan, introduced by William Paterson, June 15, 1787
 - The Hamilton Plan, introduced by Alexander Hamilton, June 18, 1787
 - The 1790 Census
 - James Madison's Notes on both the New Jersey and the Virginia Plans
15. Using the DBQ, read the compelling question/investigative question with your students.

Then, have them read the overview for the DBQ. Ask your students, "Why would representation be such a major issue that would cause fault lines to be drawn between states?"

16. With their teams, have students read, annotate, and bag and tag the answers to the background essays questions. The background essay is designed to provide historical context for your students. Ensure students have a solid foundation and understanding of the historical context prior to engaging students in the documents.
17. Prior to engaging students within the documents, model how to break down the compelling question with your students. Ensure all students have a firm grasp of the question and what they are focused on.
18. Next, using the buckets, have students think about how the compelling question will require evidence as a foundation. Model here if necessary with document A by saying the source information says, "The Virginia Plan, Edmund Randolph; May 29, 1787." Based on that information and what I have read in the background, how do I think this document will be used to answer the compelling question? What are possible labels for my buckets? Using these questions during modeling will help students understand how to source information and use the buckets effectively. Next, have students flip through and source the documents source information and label the buckets accordingly with their groups.
19. **Developing a Claim:** Direct students to read the set of documents independently or in groups and annotate in the margins of each document. Annotations should focus on citing evidence to assist in answering the compelling question.
20. **Formative Assessment:** Next, instruct students to then answer the questions in their groups. Continue to focus student attention on the compelling question/investigative question as needed.
21. **Summative Assessment:** Following the completion of document analysis and synthesis of information, use the compelling question/investigative question to have students create a poster. This poster should include a thesis statement/answer to the prompt as well as evidence that supports their position. Have student groups present this poster to the class. **Optional:** Have students complete a written response answering the prompt. Grade the response using the Social Studies content and claims rubric.

Part 3: The Presidential Debate

22. Say: "You have investigated how the question of representation was debated and resolved at the Constitutional Convention. Next we will examine another significant controversy among the delegates: What should the presidency look like?"
23. Post and read aloud the next supporting question: "Why was the presidency a divisive issue and how was it resolved?"

24. Reshuffle students into new mixed-ability groups of four for the second investigation. If the class size is not divisible by four, some groups may contain five students.
25. Provide students with copies of A Plan for the Executive. Direct them to read independently and then work in groups to fill out the graphic organizer.
26. **Formative Assessment (Expression of Claim):** Discuss briefly as a class. Possible questions:
 - Why do you think each of these delegates thought that a chief executive(s) was necessary?
 - What were some of the major differences in the plans?
 - Why was there so much disagreement over what the executive branch should be like?
27. **Summative Assessment:** Either project completed graphic organizer for students to check answers or pick up the students completed graphic organizer for a grade.
28. **Optional Additional Sources:** Provide students with copies of the Executive Election and Debates with its graphic organizers.
29. Divide each group of students into subgroups of partners. Provide each pair with copies of one of the following sources (so that each student receives either Round 1 or Round 2, but both sources are represented within the larger group):
 - Debates on Mode of Elections: Round 1
 - Debates on Mode of Elections: Round 2
30. Direct students to read independently and then fill out the How Should the President Be Elected? graphic organizer with the partner assigned the same set of sources.
31. Instruct each set of partners to report out to the other set on their assigned source.
32. **Formative Assessment:** Discuss briefly as a class. Possible questions:
 - What were the major concerns about each plan?
 - Is there any evidence that delegates revised their thoughts on these plans?
 - At what point do you believe the delegates began to feel desperate about the situation? Why?

Part 4: Socratic Seminar (Expression of Claim/Evidence)

33. Pose the philosophical question: "Was the outcome of the Constitutional Convention inevitable? In other words, based on who the framers were and where they came from, could different decisions have been made?"
34. Conclude the task with a class discussion. Encourage students to use the conversation stems and assess student participation with a discussion tracker. Possible questions:
- What were the most significant points of contention at the Constitutional Convention? (Take notes on the board for this question for students to refer to later in the discussion.)
 - How wide/deep were the divisions? To what extent did the disagreements reflect the interests of the state they represented? To what extent did the disagreements reflect personal differences in viewpoint?
 - Explain the role of compromise at the Constitutional Convention.
 - What did you learn about the political process by examining these debates in such depth? How would your understanding be different if we had just studied the outcomes (i.e. the text of the Constitution) instead of the examining the debates?

Task 5 -

How did amendments play a vital role in the development of the Constitution? (Approximately 3-5 Class Periods)

Standards:

C.1.6	Analyze the underlying principles and concepts embodied in primary documents that influenced the creation of the United States Constitution
C.2.6	Differentiate between loose and strict constructionist interpretation of the Constitution by examining the meaning and implications of the Bill of Rights and subsequent amendments

Connection to the Claim: By investigating how the framers crafted and ratified the Constitution, students will understand how amendments played a key role in the development of this document.

Claim: Did the Founding Fathers make the best choices for the United States?

Sub-claim Question: To what extent did the amendments play within developing the

Constitution?

Academic Vocabulary: Democratic, Amendment, Article, Constitution

Materials:

- [Developing a Constitution PPT](#)
- [Amending the Constitution and Graphic Organizers](#)
- [Amendments in the Constitution Poster Rubric](#)
- [Conversation Stems and Discussion Tracker](#)

Instructional Process:

Post and read aloud the compelling question for this task: "To what extent did the amendments play within developing the Constitution?"

1. Introduce the lesson by asking your students the following question: "Should we use today's standards to assess those leaders, or the standards of the time in which they lived?"
2. Elicit student responses, ensure students are using reasoning to answer the question. Reasoning is a justification using prior knowledge in their response.
3. Project and read aloud David McCoulogh's answer to the following question: "Should we use today's standards to assess those leaders, or the standards of the time in which they lived?" Discuss as a class.

- *"First you have to understand the time in which they lived. There was no simpler time, ever. There was no easier time, ever. Unless you understand what it was like to go through the Civil War, what the influenza epidemic of 1918 was like, you have no appreciation of that. History is an antidote to the hubris of the present. History should be a lesson that produces immense gratitude for all those who went before us. To be ignorant of their contribution is rude. And for anyone in public life to brag about how they don't know any history — and don't care to know any history — is irresponsible."*

David McCoulogh

4. Consider using the Developing a Constitution PowerPoint to review/introduce background knowledge with your students. This information goes over the general information that students may use to make connections to the texts they will engage in.

Part 1: Comparing the Bill of Rights to the English Bill of Rights (Sources 1& 2)

5. Have students return to the [English Bill of Rights](#) in task 3. Also, provide students with the Bill of Rights (Amendments 1-10) contained in the Amending the Constitution and graphic organizers. Have students to read and annotate each text focusing on how political,

economic, and social implications played a part of each amendment. As students annotate, they should note comparison/contrasts between the documents. This will assist in completing the similarities/differences graphic organizer.

6. Using the annotations, have students distinguish between personal, political, and economic rights. Instruct students to work with a partner to identify similarities and differences using the graphic organizer.
7. **Formative Assessment (Developing a Claim):** Once students have identified both similarities and differences, have students develop an argument to answer the question of, "To what extent did the amendments play within developing the Constitution?"
8. Next, have students turn their attention to Source 2 Excerpt from Debates in the First Congress by James Madison contained in the Amending the Constitution and graphic organizers handout. For both paragraphs, have students develop GIST statements for each paragraph. Consider limiting the amount of words students use to determine the holistic meaning of each paragraph.
9. Following the creation of GIST statements, have students answer the following questions with a partner:
 - What does Madison say is the main difference between the English Bill of Rights and what proponents of a US Bill of Rights propose?
 - What is Madison arguing in the last paragraph?
10. **Evidence and Reasoning:** Following the completion of the questions and GIST statements, have students return to the claim they developed. Using the claim, let students make any changes to their claim if necessary. Then have students use evidence to support that claim and justify the claim by using historical information learned throughout the sources.
11. Conduct a discussion as a class about the similarities and difference of the English and US Bill of Rights. Have student cite evidence from the text and make connections to the analysis of Madison's text. The focusing question should be: How did the English Bill of Rights contribute to the development of our current Bill of Rights?

Part 2: For or Against the Bill of Rights Sources 3 & 4

12. Provide access to sources 3 and 4 from the Amending the Constitution and graphic organizer. Using these two sources students will explore the reasons for both supporting a Bill of Rights and the reasons against the Bill of Rights.
13. **Identifying the argument/claim:** Using the sources, students will annotate for the argument/claim identified within each source. This will help students understand that there

are two sides to each argument. Once students have engaged in the text and made their annotations, pair students up to discuss and identify why they chose certain evidence from the texts.

14. **Formative Assessment:** Using the questions and the split-page note taking graphic, have students answer the questions with their partners. Consider having students bag and tag evidence that corresponds to their notes answering the questions. Finally, students can use the claim/evidence box below the split-page notes to finalize their findings and establish a claim that is supported with evidence answering the question of: "How did the Bill of Rights assist in developing our Constitution?"
15. **Summative Assessment:** Instruct students to create a poster (including a thesis statement) in response to the compelling question for the task: "To what extent did the amendments play within developing the Constitution?" The poster can be created with pairs/groups. The poster should be backed with evidence and have connecting reasoning to answer the prompt.

Optional Extension: *Recommended for Government Honors Classes*

16. Perform steps 1-8 of the ["Historical Analysis of Constitutional Amendments"](#) lesson provided by the Center for Civic Education. Collect and grade the timelines for completion according to the instructions and content accuracy.
17. Read the text of the [17th Amendment](#) aloud. Ask students to explain how the 17th Amendment made the Constitution more democratic.
18. Provide students with access to the following sources. Conduct a jigsaw reading and then discuss as a class.
 - ["The Seventeenth Amendment: Common Interpretation,"](#) David N. Schleicher and Todd J. Zywicki
 - ["States' Wrongs,"](#) David Schleicher, Slate
 - ["What Would the Senate Look Like without the 17th Amendment?,"](#) Scott Bomboy, Constitution Daily
19. **Formative Assessment:** Socratic discussion as a class. Use the following prompts with your students and have them cite evidence from the sources:
 - "To what extent have amendments increased the justness of the Constitution over time?"
 - "Did the framers choose the ideal process for amending the Constitution? If not, should it be easier or more difficult to amend? Why?"

20. **Summative Assessment:** Following the discussion, have students write a response to “How just is the Constitution?” Use the social studies extended rubric to grade the response.

Task 6 -

Interpreting the Constitution (Approximately 3-5 Class Periods)

Standards:

C.1.6	Analyze the underlying principles and concepts embodied in primary documents that influenced the creation of the United States Constitution
C.2.6	Differentiate between loose and strict constructionist interpretation of the Constitution by examining the meaning and implications of the Bill of Rights and subsequent amendments

Connection to the Claim: By investigating how the framers crafted and ratified the Constitution, students will understand how our founding fathers implied meaning to the United States Constitution.

Claim: Did the Founding Fathers make the best choices for the United States?

Sub-claim Question: How should the Constitution be interpreted?

Academic Vocabulary: Supreme Court, Strict Interpretation, Broad Interpretation

Materials:

- [Constitution Interpretation Graphic Organizer](#)
- [Judicial Interpretation: Scalia v. Breyer](#)
- [Originalism v. Living Document DBQ](#)
- [Conversation Stems and Discussion Tracker](#)

Instructional Process:

1. Post and read aloud the compelling question for the task: “How should the Constitution be interpreted?” Using the Prezi presentation: [Methods of Constitutional Interpretation \(Strict vs. Loose Construction\)](#), help students build a background on the interpretations of this document. To assist in building background knowledge, have students use the Constitution Interpretation Graphic Organizer to take notes. For further exploration of background information, watch “[Loose Interpretation versus Strict Interpretation](#).” Review key terms from the video and then explain that proponents of a stricter interpretation today generally refer to themselves as “originalists;” they do not self-identify as rigid strict constructionists.

2. **Optional (Further Background Information):** Remind students that disagreements about the meaning of the Constitution began during George Washington’s presidency. For teachers seeking additional resources, see the “[James Madison: The Second National Bank—Powers Not Specified in the Constitution](#)” lesson by the National Endowment for the Humanities.

Part 1: Source 1: “A Conversation on the Constitution: Judicial Interpretation”

3. Prior to watching the short clip, provide students with the Judicial Interpretation: Scalia v. Breyer graphic organizer. Watch “A Conversation on the Constitution: Judicial Interpretation, Part 1, [Volume 1](#)” with Justices Stephen Breyer and the late Antonin Scalia. Pause the video after each speaker concludes an argument and randomly call on students to recap.
4. Stop the video at 14:06. Say: “Justice Breyer referred to *tyranny of the majority*. What exactly does that mean?”
5. Continue watching “A Conversation on the Constitution: Judicial Interpretation, Part 1, [Volume 1](#) and [Volume 2](#).” Pause the videos after each speaker concludes an argument and randomly call on students to recap. Note: Take the opportunity provided by the conclusion of the debate to discuss the importance of civil discourse.
6. **Formative Assessment (Developing a Claim):** Ask: “Do you agree with Justice Breyer’s contention that the Supreme Court’s job is to “patrol the boundaries” to protect individuals and minorities from *tyranny of the majority*? Or with Justice Scalia that Supreme Court justices have no business acting like “kings”?”

Part 2: Originalism vs Living Document

7. Using the DBQ, read the compelling question/investigative question with your students. Then, have them read the overview for the DBQ. Ask your students, “Why would interpretation of the Constitution be such a divisive issue?”
8. Break students into groups/teams. With their teams, have students read, annotate, and bag and tag the answers to the background essays questions. The background essay is designed to provide historical context for your students. Ensure students have a solid foundation and understanding of the historical context prior to engaging students in the documents.
9. Prior to engaging students within the documents, model how to break down the compelling question with your students. Ensure all students have a firm grasp of the question and what they are focused on.
10. Next, using the buckets, have students think about how the compelling question will require evidence as a foundation. Have students label the buckets to assist in how they may answer the prompt. Consider using document A to model with your students how to bucket the item appropriately based on their identified labels. If modeling, consider the following: Based on that information and what I have read in the background, how do I think this document will be used to answer the compelling question? What are possible labels for my buckets? Using these questions during modeling will help students understand how to source information and use the buckets effectively. Next, have students

flip through and source the documents source information and label the buckets accordingly with their groups.

11. **Developing a Claim:** Direct students to read the set of documents independently or in groups and annotate in the margins of each document. Annotations should focus on citing evidence to assist in answering the compelling question.
12. **Formative Assessment:** Next, instruct students to then answer the questions in their groups. Continue to focus student attention on the compelling question/investigative question as needed.
13. **Summative Assessment (Expressing Claim):** Following the completion of document analysis and synthesis of information, use the compelling question/investigative question to have students create a poster. This poster should include a thesis statement/answer to the prompt as well as evidence that supports their position. Have student groups present this poster to the class.
14. Conduct a debate of the compelling question for the task: How should the Constitution be interpreted?
15. For the first half of the debate, require students to argue on their assigned side. For the second half, shift to a philosophical chairs format. Use a discussion tracker to assess student participation in the debate.
16. Conclude the discussion/debate by reading the following quote from Justice Brennan: "...the framers themselves did not agree about the application or meaning of particular constitutional provisions, and hid their differences in cloaks of generality."
17. Then ask:
 - Are differences in interpretation to be expected or reflective of a lack of clarity in the Constitution?
 - Did the framers leave the appropriate amount of "wiggle room" in the Constitution to allow it to be a document for the ages? Too much? Too little? Explain."

Task 7 -

Culminating Task: Did the Founding Fathers make the best choices for the United States? (1 Class Period)

Standards:

C.1.1	Describe reasons why government is necessary, explaining competing ideas about the role of government in society
C.1.2	Compare and contrast the structure and leadership of different forms of government in various nations
C.1.3	Analyze the influence of the Magna Carta, English common law, and the English Bill of Rights in creating a limited form of government in the United States
C.1.4	Explain the influence of Enlightenment philosophers, the Great Awakening, and the American Revolution on the American founding

	documents
C.1.5	Explain the issues involved in various compromises or plans leading to the creation of the United States Constitution
C.1.6	Analyze the underlying principles and concepts embodied in primary documents that influenced the creation of the United States Constitution
C.2.6	Differentiate between loose and strict constructionist interpretation of the Constitution by examining the meaning and implications of the Bill of Rights and subsequent amendments

Connection to the Claim: The government originated because a group of people came together to form a “more perfect union,” this results in the establishment of the United States as we know it today.

Claim: Did the Founding Fathers make the best choices for the United States?

Materials:

- [Essay Writing Outline](#)
- [Government Extended Response Checklist](#)
- [Social Studies Extended Response Rubric-Founding Fathers](#)

1. Using sources from Tasks 1-6, students will create an in depth response using the following question: *Did the Founding Fathers make the best choices for the United States?*
2. Consider reviewing the following outline with your students to transition them into the writing process where needed. Using the buckets and thesis builder, model for students how to create bucket labels and develop a thesis based on the information presented in the tasks.
3. A bucket and thesis may resemble the example below:

The Founding Fathers made the best choices in the creation of our government as we know it by:	Creating a Democracy
	Balancing how citizens were represented within government
	Allowing multiple interpretations and changes of our Constitution to take place

4. Have your students consider the following information as they craft their response:

- Evaluate the decisions made by the framers from the drafting of the Constitution through the ratification of the Bill of Rights
 - The type of government chosen (Hobbes and Locke-Task 1) (Influences of Government-Task 2) (Principals of Government-Task 3)
 - Major issues and compromises at the Constitutional Convention (Representation DBQ-Task 4) (Plan for the Executive-Task 4)
 - Amendment process and the Bill of Rights (Amending the Constitution-Task 5)
 - Differences in interpretation (Judicial Interpretation: Scalia v. Breyer & Originalism v. Living Document DBQ-Task 6)