

CONSTITUTION

A simulation of a convention called to revise the United States Constitution

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TEACHER GUIDE

PURPOSE

CONSTITUTION simulates the activities of a modern constitutional convention. Students first study the structure and function of the 1787 Constitution, which still serves as the foundation of our government. Then they analyze the many conflicts that have developed in interpreting different sections of the Constitution. Students also review the long, complicated process of amending the Constitution through the “proposal” and “ratification” procedures. On another level, the simulation helps students recognize the problems and pressures involved in any attempt to amend the Constitution. CONSTITUTION increases awareness that all people, not only politicians, have mixed and varied goals, many of which sometimes conflict with the goals of individuals with whom they must work. Finally, the complex processes of collective and individual bargaining, sacrifice and compromise, conflict and cooperation, loyalty and personal friendship, leadership and legal principles—all become vitally real to students, as they observe how they and their fellow students react under pressure.

Specifically, students have opportunities to experience the following:

Feelings

1. an appreciation of the importance of the federal Constitution
2. an awareness of the complexity of the federal Constitution
3. a desire to retain the “positive” and to change the “negative” elements of the federal Constitution
4. the determination to be courageous and to take stands on important issues when caught in the middle of conflicting interests
5. the frustration of trying to appeal to groups with different philosophies
6. the satisfaction of developing and bringing about viable political compromises
7. the excitement of winning a political battle and the agony of losing one

Knowledge

1. the content of much of our federal Constitution
2. separation of powers
3. checks and balances
4. the amendment process
5. the enumerated powers of the executive, legislative, and judicial branches
6. the implied powers of the executive, legislative, and judicial branches

7. the effect of constitutional changes on American society

Skills

1. researching and developing ideas to support one position and to attack another
2. presenting and defending a viewpoint
3. persuading others to accept a point of view
4. bargaining and compromising to achieve the politically possible
5. utilizing parliamentary procedure for a specific goal
6. helping a group to accomplish common goals

OVERVIEW

In CONSTITUTION several factions attempt to amend vital parts of the federal Constitution of 1787. Each student is assigned to a particular faction and represents a certain state. As a delegate to the Constitutional Convention, the student uses individual influence and votes to bargain and bring about the proposal and ratification of amendments that his/her group desires.

The students first learn that 35 Constitutional amendments are to be considered at the convention. Having been given faction and state goals indicating amendments they should support, students obtain points for each goal amendment *selected* for consideration, successfully *proposed* and successfully *ratified*. Considerable conflict is generated because *only five amendments may be ratified at this convention*.

A Convention Rules Committee is selected with one member from each of the six factions (Radicals, Conservatives, Anti-President bloc, Minorities, Moderates, and Big State bloc). The committee selects the amendments to be considered by the entire convention and sets up the procedural rules for running the convention.

After the required number of amendments have been selected for consideration, the convention moves to the “proposal” stage. Under Article V of the Constitution, amendments must be proposed either by a two-thirds vote of both houses of Congress or by a two-thirds vote of a National Constitutional Convention. For this simulation, the students represent delegates at a national convention. As delegates, the students present arguments on the amendments, engage in debate and bargain for the necessary two-thirds vote to have their amendments successfully proposed.

UNIT TIME CHART
(Intended as example; alter as desired.)

The periods in this Unit Time Chart are approximately 50 minutes long. You will have to adapt the Time Sequence to fit your class schedule and your course's purposes.

<p>Administer DEMOCRACY SCALE</p> <p>Read STUDENT GUIDE</p> <p>Assign groups</p> <p>Arrange room</p> <p>Distribute these forms: TITLE SUMMATION OF CONSTITUTIONAL AMENDMENTS, 35 CONSTITUTIONAL AMENDMENTS, and FACTION PROFILES AND GOALS</p> <p align="right">1</p>	<p>Factions divide states among members</p> <p>Explain ID tags</p> <p>Distribute and explain these forms: AMENDMENT JUSTIFICATION, RULES OF PROCEDURE, PROPOSAL AGENDA and SCORESHEET, RATIFICATION AGENDA and SCORESHEET, and INDIVIDUAL SCORESHEET</p> <p>Factions plan strategy and select representatives for Convention Rules Committee</p> <p align="right">2</p>	<p>During Days 3-5, students read and research materials for AMENDMENT JUSTIFICATION sheets</p> <p>Factions bargain with one another on the amendments</p> <p>Faction members pressure Convention Rules Committee members</p> <p><i>Optional: Consider an extra library research period between Day 3 and Day 4</i></p> <p align="right">3</p>	<p>Faction bargaining on amendments, pressuring Convention Rules Committee continues through Day 5</p> <p>Convention Rules Committee chooses chairperson and debates the amendments</p> <p align="right">4</p>	<p>Convention Rules Committee prepares PROPOSAL AGENDA</p> <p align="right">5</p>
<p>Following the RULES OF PROCEDURE, the convention delegates meet, debate, and vote upon the amendments during Days 6-10. Convention delegates carefully cover the proposed amendments in the order they appear on the Convention Rules Committee's PROPOSAL AGENDA</p> <p align="right">6</p>	<p>Continue Day 6 activities</p> <p align="right">7</p>	<p>Continue Day 6 activities</p> <p align="right">8</p>	<p>Continue Day 6 activities</p> <p align="right">9</p>	<p>Continue Day 6 activities</p> <p>Committee prepares the RATIFICATION AGENDA</p> <p align="right">10</p>
<p>Repeat Days 6-10 during Days 11-13 except that each student's vote represents the ratification vote of a separate state's ratification convention</p> <p align="right">11</p>	<p>Continue Day 11 activities</p> <p align="right">12</p>	<p>Continue Day 11 activities</p> <p>After voting, have students fill out INDIVIDUAL SCORESHEETS</p> <p align="right">13</p>	<p>Distribute DEBRIEFING AND EVALUATION handout; have students discuss in activity groups</p> <p>Students write essay answers to the Evaluation of Your Knowledge section</p> <p align="right">14</p>	<p>Give OBJECTIVE TEST</p> <p>Students fill out their INDIVIDUAL SCORESHEETS and hand in all written work during their participation in CONSTITUTION.</p> <p align="right">15</p>

AMENDMENT JUSTIFICATION

Amendment Title _____
and Number _____ your name

Constitutional _____
Source _____ your faction _____ your state

Instructions:

1. Talk with others about why this amendment is justified.
2. Write down these reasons on a separate sheet of paper.
3. Use resources available to do the research necessary to support these reasons or additional reasons you come across during your research. Take notes and place source notes by all information you write down. *Example:* (1:249) = Information is from page 249 of source 1 in your bibliography.
4. Keep a separate BIBLIOGRAPHY SHEET. Number each source. Here are 2 models to follow:

<i>book</i>	1. E. S. Corwin and J. W. Peltason, <i>Understanding the Constitution</i> , Holt, Rinehart and Winston, N. Y. 1970.
<i>magazine</i>	2. R. G. Tugwell, "Introduction to a Constitution for a United Republics of America," <i>The Center Magazine</i> , September-October, 1970.
5. Use your notes to outline the strongest reasons justifying this amendment. Write the outline on both sides of this sheet.
6. Show where you got the information supporting each reason by using a source note. *Example:* (1:249) = Information is from page 249 in Corwin's book, the first source in your Bibliography.
7. Copy your numbered Bibliography following the last reason you write down justifying this amendment.

- _____ 15. Constitutions A. have a superior status to ordinary law B. must be drafted by special assemblies C. are rarely a single written document D. are amended through the same process and requirements of general law-making
- _____ 16. The provisions for the Electoral College are contained in A. Article I of the Constitution B. the Twelfth Amendment C. the Bill of Rights D. *The Federalist Papers*
- _____ 17. The reservation of all power not specifically delegated to the United States or to the states themselves for the people can be found in A. the American political *tradition* (such reservation has never been stated in exact words) B. the First Amendment C. the Fifth Amendment D. the Tenth Amendment
- _____ 18. The Nineteenth Amendment A. repealed prohibition B. gave Congress the right to impose an income tax C. gave women the right to vote D. limited the President to two terms in office
- _____ 19. The number of states needed for ratification of an amendment is A. 26 B. 33 C. 38 D. 50
- _____ 20. *The Federalist Papers* A. were newspapers in each state which supported the new Constitution B. became authoritative guides to constitutional interpretation C. were the public documents left by the first three Presidents D. were the official proclamations sent to each state for ratification

II. TRUE OR FALSE (Place a + beside true statements and a 0 beside false statements.)

- _____ 1. The number and size of political parties is spelled out in the Constitution.
- _____ 2. The Constitution gives the President the power to be Commander-in-Chief of the armed forces.
- _____ 3. The Constitution explicitly gives the Supreme Court the power to declare an Act of Congress unconstitutional.
- _____ 4. Impeachment proceedings must originate in the U. S. House of Representatives.
- _____ 5. Representation in the Senate is based upon the population of the states.
- _____ 6. The Twenty-fifth Amendment grants 18-year-olds the right to vote.
- _____ 7. All votes in Congress must be recorded and made available to the public.
- _____ 8. The president is permitted to serve more than two terms if these terms are not successive.
- _____ 9. The Fifteenth Amendment prohibited any laws denying the right to vote because of race.
- _____ 10. Only the President must be a natural-born citizen.
- _____ 11. The framers of the Constitution tried to restrain the powers of the national government.
- _____ 12. The Constitution established a unitary form of government.
- _____ 13. Federal judges can be removed only by impeachment.
- _____ 14. The Constitution provided that the Supreme Court is the only branch of government qualified to interpret and to apply the Constitution.
- _____ 15. A state must give its permission before a new state may be formed from its territory.
- _____ 16. The Constitution provided for presidential nominating procedures.
- _____ 17. The Fourth through the Eighth Amendments contain the principal protections for persons accused of crime.