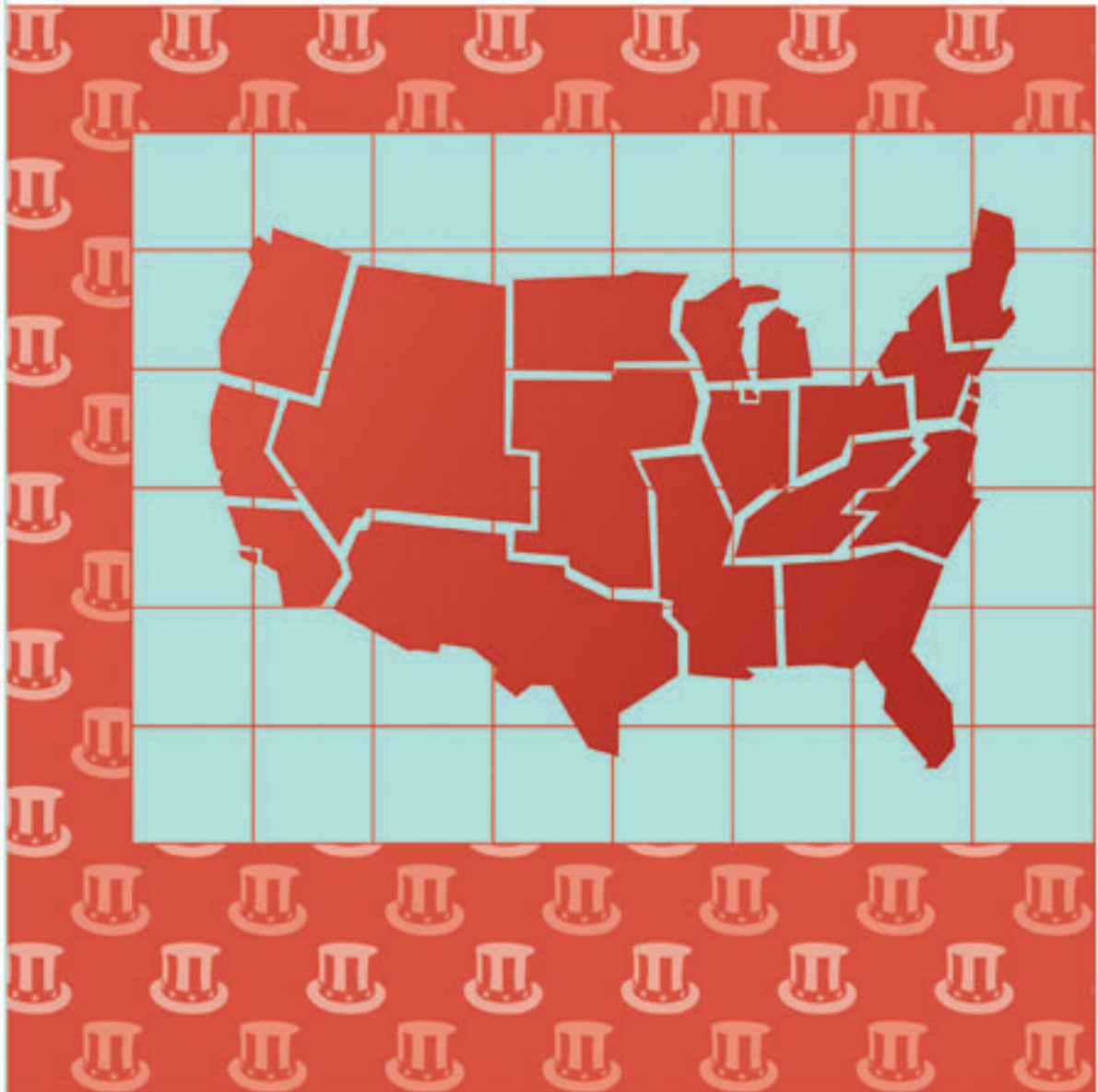


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CONSTITUTION



A Simulation of a Convention Called to Revise the United States Constitution



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.

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After the proposal stage, the convention moves to the "ratification" stage. Under Article V of the Constitution, amendments must be ratified either by the legislatures in three-quarters of the states or by conventions in three-quarters of the states. During this simulation, the latter method is used. (It is automatically assumed that each student controls all the ratifying votes of his/her state or states.) Ultimately students discover that although it might be relatively easy to develop the required two-thirds majority needed for *proposal*, it would be extremely difficult to develop the three-quarters majority needed for *ratification*, because a coalition of only 13 states can defeat any amendment. Students begin seeing the meaning of Aristotle's famous statement: "Politics is the art of the possible." They turn their attention to this art of making a wide range of views politically "possible" to many diverse factions.

In conclusion, the author would like to stress that CONSTITUTION is intended not to precisely simulate all activities involved in amending the Constitution. Nor should it be construed as a criticism of the Constitution. The simulation's primary purpose is to increase students' understanding of and concern for one of the greatest documents in the history of mankind.

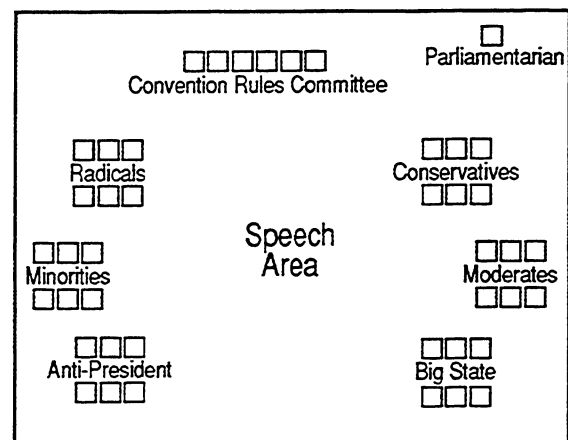
INSURING UNDERSTANDING

Having read this far, you now have a general idea of what happens in CONSTITUTION. To facilitate quicker understanding of the totality while you are preparing to use the simulation, follow this sequence:

1. Remove the pages from this Teacher Guide and place on a table in front of you.
2. Briefly familiarize yourself with each page's substance.
3. Read the STUDENT GUIDE found at the end of this Teacher Guide.
4. Examine the Unit Time Chart. Notice how its 15 periods are related to the 15 periods of teacher directions found in the Time Sequence.
5. Study through the Time Sequence, pausing to pick up and examine the materials which you will hand out to your students during the simulation.
6. Once you understand the simulation's sequence, follow the Setup Directions.
7. Begin the simulation.

SETUP DIRECTIONS

1. **Assigning roles** This simulation is constructed to handle a minimum of 24 students and a maximum of 50. (If you have less than 50 students, have certain students represent more than one state within his/her faction.)
2. **Duplication** Duplicate one copy per student of the following forms unless otherwise directed by a number in parentheses. Then distribute to students according to directions found in the Time Sequence.
 - DEMOCRACY SCALE
 - TITLE SUMMATION OF CONSTITUTIONAL AMENDMENTS
 - 35 CONSTITUTIONAL AMENDMENTS
 - FACTION PROFILES AND GOALS
 - AMENDMENT JUSTIFICATION (3)
 - RULES OF PROCEDURE
 - PROPOSAL AGENDA
 - PROPOSAL SCORESHEET
 - RATIFICATION AGENDA
 - RATIFICATION SCORESHEET
 - INDIVIDUAL SCORESHEET
 - DEBRIEFING AND EVALUATION
 - OBJECTIVE TEST
 - STUDENT GUIDE
3. **Arranging the classroom** Use this chart to aid you in arranging the classroom for play as you follow directions for Day 1 in the Time Sequence.



4. **Organizing in-depth reading** See your librarian about CONSTITUTION at least two weeks prior to beginning the simulation. Have him/her locate books or articles similar to those included in the following Bibliography. (Possibly you will want a Reserve Shelf: CONSTITUTION set up in your school library.) If you have quite capable students who have access to a college library, you may want to duplicate a bibliography for them.

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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>

TIME SEQUENCE

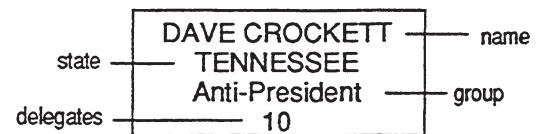
Day 1: Introduction

1. Have the students rate the items on the DEMOCRACY SCALE. Assure them this is not a "test" and that no answers are absolutely right or wrong.
2. Explain and discuss CONSTITUTION's purpose. Distribute STUDENT GUIDE, allow time for reading, and answer any general questions.
3. Have students arrange themselves in a roughly shaped circle on the room's perimeter. Where students stand depends upon their DEMOCRACY SCALE score. Tell the students with the "lowest" score (i.e., the least confidence in American democracy) to stand on your immediate left. Then have students group themselves by scores (from lowest to highest) around the circle until the student with the highest score (i.e., the most confidence in American democracy) stands on your immediate right.
4. The students should be divided into groups as follows: the 1/6 with lowest scores are the Radicals; the 1/6 with the second lowest scores are the Minorities; the 1/6 with the third lowest scores are the Anti-President bloc; the 1/6 with the highest scores are the Conservatives; the 1/6 with the second highest scores are the Moderates; and the 1/6 with the third highest scores are the Big State bloc. *Note:* If you want to balance the groups sexually, do so; also, if some students really want to be members of a certain group even though their scores do not seem to match, you may want to allow them to do so. However, watch that students who merely want to be *with* someone aren't letting this desire supersede their loyalty to a certain ideological persuasion.
5. Now put the diagram of the room arrangement found in the Setup Directions on the board (or you may draw it on the blackboard prior to Day 1's beginning). Have students help you move furniture to match the diagram. Finally, ask the groups to assemble in their respective areas, where they will meet daily.
6. Distribute the following forms—TITLE SUMMATION OF 35 CONSTITUTIONAL AMENDMENTS, 35 CONSTITUTIONAL AMENDMENTS, and FACTION PROFILES AND GOALS. Have the students examine them for the remainder of the period
7. Explain to students that the words in dark italics are to be considered for amendment.
8. Make sure the students understand the citations (i.e., that III-2.1 means that Article III, section 2, clause 1 of our federal Constitution is to be considered for amendment). Also make sure that each student has ready access to a copy of our federal Constitution.

9. Tell students to study their FACTION PROFILES AND GOALS handout overnight.

Day 2: Introduction continued

1. Insure that factions understand what they are to do to divide the states and the states' voting power (see General Instructions, FACTION PROFILES AND GOALS handout). Then have factions divide their states among their members.
2. Explain that by Day 4 everyone must make his/her own ID tag of about 3"x5", which is to be worn in class during the convention sessions. The tag should be made with construction paper or cardboard. It either can be pinned on clothing or can hang from the neck (string tied to the tag in two places). Draw a model for an ID tag on the blackboard.



Encourage students to use their imaginations and reveal their personalities in decorating their ID tags' edges and backgrounds.

3. Pass out the AMENDMENT JUSTIFICATION sheet and briefly explain. Have each student select one amendment to research—the one amendment each student most strongly believes should pass. Encourage capable students to research and write more than one AMENDMENT JUSTIFICATION sheet.
4. Pass out INDIVIDUAL SCORESHEETS and explain briefly that students must fill this out as they complete each assignment and that their final unit grade will be a combination of all the factors on this record. (*Note:* Our recommended point system is based on 12 = A+, 11 = A-, and so on, down to 1 = D-. This 1-12 scale can be multiplied by any factor. For example, 2x1-12 scale means that 24 = A+ and 14 = B-.)
5. Have students examine RULES OF PROCEDURE, PROPOSAL AGENDA, RATIFICATION AGENDA, PROPOSAL SCORESHEET, and RATIFICATION SCORESHEET. Explain each.
6. Have each faction caucus by itself to play its strategy and to select a representative to serve on the Convention Rules Committee.
7. Have each group announce its representative to the Convention Rules Committee.

Day 3: Research

1. Have students start reading and researching for material to use in submitting their AMENDMENT JUSTIFICATION sheets. (This is a good time to have a library area reserved for your students' use. Review with them how to use encyclopedias

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and the *Reader's Guide to Periodical Literature*, if necessary.)

2. Allow time for the factions to meet with the Convention Rules Committee members and other factions to bargain for support for their amendments. Allow students to mingle freely.

Days 4-5: Convention Rules Committee

1. Have the Convention Rules Committee members caucus in executive session to select their chairperson.
2. After the chairperson has been selected, have him/her conduct the meeting according to the RULES OF PROCEDURE.
3. After the committee has selected the desired number of items, instruct them to prepare the PROPOSAL AGENDA and submit it at the beginning of Day 6.

Days 6-10: Amendment proposals

1. Briefly go over the debate process, having students refer to RULES OF PROCEDURE.
2. Have the chairperson present the PROPOSAL AGENDA.
3. As the amendments are called by the chairperson, *according to their order on the PROPOSAL AGENDA*, have the sponsor (the spokesman designated by a faction favoring the amendment) present a justification speech.
4. After the amendments are debated, have the delegates vote on each proposal.
5. After all amendments have been considered and decisions have been reached, have the committee prepare the RATIFICATION AGENDA.

Days 11-13: Amendment ratification

1. Follow the same procedures as in AMENDMENT PROPOSALS.
2. After voting, have students fill out parts 1 and 2 on their INDIVIDUAL SCORESHEETS.
3. Before Day 14 begins, examine the DEBRIEFING AND EVALUATION sheet. Debriefing is an essential part of using simulations; therefore, set aside sufficient time for you to cover—either in discussion groups first or in written essays followed by discussion groups—many items listed on the DEBRIEFING AND EVALUATION sheet.

Day 14: Debriefing and evaluation

1. Consider dividing the class randomly into six groups by having students number off 1 to 6. Doing this will put students into groups differing from those in which they worked for three weeks. Then have the six groups go to separate corners of the room and discuss those items on the DEBRIEFING AND EVALUATION sheet which you wish to have them discuss

2. Have students write essay answers to the Evaluation of Your Knowledge section of the DEBRIEFING AND EVALUATION sheet.

Day 15: Objective Test (optional)

1. Give students the OBJECTIVE TEST to reveal to them and you what knowledge they have gained during CONSTITUTION.
2. Grade the test in class, using this answer key:
 - I. *Multiple choice*: 1. C, 2. B, 3. D, 4. A, 5. A, 6. D, 7. B, 8. B, 9. B, 10. A, 11. A, 12. C, 13. D, 14. C, 15. A, 16. B, 17. D, 18. C, 19. C, 20. B.
 - II. *True-false*: 1. 0, 2. +, 3. 0, 4. +, 5. 0, 6. 0, 7. 0, 8. 0, 9. +, 10. +, 11. 0, 12. 0, 13. +, 14. 0, 15. +, 16. 0, 17. +, 18. 0, 19. 0, 20. +.
 - III. *Identifications*:
 1. the 55 men, delegates from 12 states, at the Philadelphia Convention in 1787, who wrote our Constitution
 2. a government whose institutions are based on a contract among sovereign men who surrender some of their power to rule to the government, while at the same time they limit the power of that government
 3. the formal rules adopted in 1781 by the new states for a central union to govern them; superseded by our current Constitution in 1788
 4. series of newspaper articles written by John Jay, James Madison, and Alexander Hamilton as propaganda in favor of ratification of the Constitution; now considered the most thoughtful *American* addition to political philosophy ever written
 5. a belief, fostered by historian Charles Beard and others, that the framers were motivated by selfish economic interests
 6. the ability of one official or institution to block action by another
 7. the ritual of legal approval
 8. a government of two levels, each with specifically delegated powers which cannot be altered without the consent of both
 9. a legal accusation that the evidence against an accused civil official warrants holding a trial ... Within states this is done by a grand jury and is called an indictment. For a president or a federal judge, this is done by the House of Representatives.
 10. a government in which functions are allocated to disparate, sometimes competing, institutions; a system in which people do not get political, economic, religious, or style-of-living leadership from the same source
3. Have students gather all their written work during CONSTITUTION and staple it under their INDIVIDUAL SCORESHEETS so that you can arrive at a fair grade for the unit.

DEMOCRACY SCALE

Name _____ Score _____

Historians generally agree that a nation must possess the following 15 variables in order to be considered a true democracy. Please rate the United States on the variables, using a 5-1 scale. Circle the number after the word that best describes how much you believe the U.S. possesses the variable.

1 HIGH EDUCATIONAL LEVEL

excellent 5 good 4 fair 3 weak 2 poor 1

2 ADEQUATE STANDARD OF LIVING

excellent 5 good 4 fair 3 weak 2 poor 1

3 SENSE OF INTERNAL UNITY AND NATIONAL COHESION

excellent 5 good 4 fair 3 weak 2 poor 1

4 POLITICAL MATURITY

excellent 5 good 4 fair 3 weak 2 poor 1

5 FREEDOM FROM FOREIGN DOMINATION

excellent 5 good 4 fair 3 weak 2 poor 1

6 FREEDOM OF PRESS AND SPEECH

excellent 5 good 4 fair 3 weak 2 poor 1

7 FREE ELECTIONS

excellent 5 good 4 fair 3 weak 2 poor 1

8 FREE PARTY ORGANIZATIONS

excellent 5 good 4 fair 3 weak 2 poor 1

9 INDEPENDENT JUDICIARY

excellent 5 good 4 fair 3 weak 2 poor 1

10 PUBLIC AWARENESS OF GOVERNMENTAL SPENDING

excellent 5 good 4 fair 3 weak 2 poor 1

11 LEGISLATION AIMED TO IMPROVE LIVING CONDITIONS

excellent 5 good 4 fair 3 weak 2 poor 1

12 CIVILIAN CONTROL OVER THE MILITARY

excellent 5 good 4 fair 3 weak 2 poor 1

13 FREEDOM OF RELIGION

excellent 5 good 4 fair 3 weak 2 poor 1

14 HONEST GOVERNMENT

excellent 5 good 4 fair 3 weak 2 poor 1

15 EFFECTIVE LOCAL GOVERNMENT

excellent 5 good 4 fair 3 weak 2 poor 1

Total your score, divide by 15, round off to one decimal, and place your score in the upper right hand corner.

TITLE-SUMMATION OF 35 CONSTITUTIONAL AMENDMENTS

- 1 I-2.1 (I = Article I of the Constitution of 1787; 2.1 = Section 2 and Clause 1 of Article I) **Term of House** The term of members of the House of Representatives is expanded to 4 years.
- 2 I-2.2 **Age in House** The minimum age requirement of the House of Representatives is lowered to 18 years and a maximum age requirement of 65 years is inserted.
- 3 I-3.1 **Number and Term of Senate** The number of senators is increased to five per state; this is conditioned on Proposal 21, amending IV-3.1, being adopted.
- 4 I-3.3 **Age in Senate** The minimum age requirement of the Senate is lowered to 21 years and maximum age requirement of 70 years is inserted.
- 5 I-4.1 **Elections for Congress** The method of electing senators and representatives is changed according to the new procedures fully elaborated upon in Article VII (see Amendments 23-34).
- 6 I-5.1 **Public Records** All secret sessions are forbidden in Congress and all votes must be recorded and published.
- 7 I-6.1 **Code of Ethics** Congress is required to establish a Code of Ethics by which all representatives and senators are required to publish a record of their financial holdings and sources of income.
- 8-9 I-7.2 and I-7.3 **Presidential Veto Procedures** To override a presidential veto of legislation, Congress need obtain only an absolute majority (50% + 1) of total membership instead of a 2/3 majority.
- 10 I-8.19 **Watchdog Agency** A Congressional watchdog agency is established with the authority to supervise all intelligence gathering operations of the executive branch of the national government, such as the F.B.I. and the C.I.A.
- 11 I-8.20 **Committee Procedure** Members must be elected in secret ballot to congressional committees instead of being appointed. The elected committee members then select the chairperson.
- 12 II-1.1 **Presidential Term and Vice-Presidential Role** The term of the President is increased to 9 years, but he/she is only permitted 1 term in office. The President must stand on his/her record in a referendum every 3 years. The position of Vice-President is abolished; the Speaker of the House of Representatives becomes Acting President if the President dies or becomes incapacitated.
- 13 II-1.5 **Presidential Age** The minimum age requirement for President is lowered to 25 years and a maximum age requirement of 60 years is inserted.
- 14 II-2.1 **Presidential War Powers** The President's powers as Commander-in-Chief are limited to a period of 30 days in a national emergency without direct congressional authority.
- 15 II-2.2 **Presidential Appointments** The President's appointment powers are limited by removing his authority to appoint Supreme Court justices and members of the executive branch of government.
- 16 II-5 **Presidential Papers** The principle of executive privilege is denied as all presidential papers must be made available to Congress on request.
- 17 II-6 **Executive Council** The number of cabinet positions is decreased to 4 with each position to be supervised by a Chancellor (see Amendment 33).
- 18 II-7 **Appointments** Each Chancellor has complete appointive power within his department. The Chancellors will be elected independently of the President.
- 19 III-1 **Term of Supreme Court** The Supreme Court justices are to be appointed by an Independent Commission for a period of 10 years instead of for life. The justices must stand in a referendum on their record every 10 years.
- 20 III-2.1 **Power of Supreme Court** The Supreme Court is denied the power to declare an act of Congress unconstitutional.

- 21 IV-3.1 **Union of States** The number of states is decreased to 20 in an effort to form a more perfect union considering resources, population, transportation, communication, and economic and social arrangements.
- 22 V **Amendment Procedure** The constitutional amendment procedure is changed. A majority is needed to propose an amendment and 2/3 to ratify the proposal.
- NOTE RE: Amendments 23-34:** All of Article VII is new language. Its authors believe there is an overpowering need to regulate political parties and the electoral process.
- 23 VII-1.1 **Election Finance** The national government is authorized to finance all elections.
- 24-25-26 VII-1.2, VII-1.3, VII-1.4 **Party Control** Political parties are classified as major, minor, and emerging parties. The amount of governmental financing each party receives is dependent upon its classification.
- 27 VII-1.5 **Election Expenses** Private contributions to political campaigns are forbidden.
- 28 VII-2 **Electoral Commission** An Electoral Commission is established with the authority to conduct all elections.
- 29 VII-3 **Election for House of Representatives** Representation in the House of Representatives is based upon a system of proportional representation. The total membership of a political party is directly proportional to the percentage of the vote the party receives. For example, if there are 20 representatives from a particular state and the Republicans receive 45% of the vote, the Democrats 40%, and the American Independent Party 15%; then the Republicans would have 9 (45% x 20) representatives, the Democrats 8 (40% x 20), and the American Independent Party 3 (15% x 20).
- 30 VII-4 **Election for Senate** There are 5 Senators from each state. One seat is reserved each for a woman, a young citizen, and a minority group member; the other two seats are open. It is only necessary to obtain a plurality of the vote to be elected.
- 31 VII-5.1 **Nomination for President** Presidential candidates are to be nominated by the respective parties in a simultaneously held national primary; party conventions for this purpose are not permitted.
- 32 VII-5.2 **Election for President** The President must be elected by the popular vote; the electoral college system is abolished. A candidate must receive a majority of the popular vote. If none of the candidates receives a majority, a run-off election must be held between the top two candidates.
- 33 VII-6 **Election for Chancellor** The Chancellors of the 4 cabinet positions are elected for 5 year terms in the same manner as presidential elections.
- 34 VII-7 **Election Procedure** There must be at least 2 public debates between the candidates for office.
- 35 VIII **Ratification** The new Constitution will be adopted upon ratification by 2/3 of the states.

35 CONSTITUTIONAL AMENDMENTS

(NOTE: Words in ***bold italics*** indicate the newly amended language. Compare with appropriate section of our federal Constitution.)

ARTICLE I

- 1 **I-2.1** (I = Article I; 2.1 = section 2, clause 1)
The House of Representatives shall be composed of members chosen every ***fourth*** year by the people of the several states, and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature.
- 2 **I-2.2** No person shall be a representative who shall not have attained to the age of ***eighteen years or exceeded the age of sixty-five years***, and a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.
- 3 **I-3.1** The Senate of the United States shall be composed of ***five*** senators from each State, for six years; and each senator shall have one vote.
- 4 **I-3.3** No person shall be a senator who shall not have attained to the age of ***twenty-one years or exceeded the age of seventy years***, and a citizen of the United States, and who shall not, when elected, be an inhabitant of the State for which he shall be chosen.
- 5 **I-4.1** The times, places, and manner of holding elections for senators and representatives, shall be prescribed ***in Article VII of this Constitution***; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing senators.
- 6 **I-5.3** Each House shall keep a journal of its proceedings and from time to time, publish ***all records***; and the yeas and nays of the members of either House ***must always be recorded and published on all questions***.
- 7 **I-6.1** (Insert at conclusion of paragraph.)
The senators and representatives must establish a Code of Ethics listing all of their financial transactions and sources of income. This Code will be published annually and made available to the public.
- 8 **I-7.2** Insert ***absolute majority*** in place of two-thirds.

- 9 **I-7.3** Insert ***absolute majority*** in place of two-thirds.
- 10 **I-8.19** ***The Congress shall establish a Committee on Intelligence Reports. The Committee will require that the Federal Bureau of Investigation, the Central Intelligence Agency and all other intelligence gathering operations of the executive branch of government prepare semi-annual reports of all investigative operations.***
- 11 **I-8.20** ***In determining committee assignments the House of Representatives and the Senate shall require that all members vote in secret ballot. The chairperson of said committee shall be elected by a majority vote of the aforementioned committee members in secret ballot.***

ARTICLE II

- 12 **II-1.1** The executive power shall be vested in a President of the United States of America. He/she shall hold office during the term of ***nine years unless rejected by the electorate in a referendum to be held every three years. There will be no VicePresident. If the President dies or becomes incapacitated, the Speaker of the House of Representatives will serve as Acting President until a new President is elected. The method of electing the President is prescribed in Article VII of this Constitution.***
(If this proposal is adopted, the twenty-second amendment is hereby repealed and further all references to the Vice-President in this Constitution are hereby removed.)
- 13 **II-1.5** No person except a citizen of the United States, at the time of the adoption of this Constitution, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of ***twenty-five years or exceeded the age of sixty years***, and been a resident within the United States.
- 14 **II-2.1** (Insert at conclusion of paragraph.)
The President has the authority to deploy the army, navy, and air force of the United States only if he/she declares that a national emergency exists. A national emergency may

be defined as any one of the following four conditions:

1. *a sudden attack against the United States;*
2. *an attack against the forces of the United States;*
3. *to protect citizens of the United States residing overseas;*
4. *to comply with a national commitment undertaken by Congress and the President.*

The President has this authority for only thirty days; then only Congress can extend the authority.

- 15 **II-2.2** *The following words are to be deleted from Article II, section 2, clause 2: "other public Ministers and Consuls, Judges of the Supreme Court, and all other officers of the United States..."*
- 16 **II-5** *All presidential papers must be submitted to Congress upon any reasonable request therefrom.*
- 17 **II-6** *The President shall preside over all meetings of the Executive Council, comprised of the Chancellors of the four departments: Human Resources, Natural Resources, Finance, and Defense.*
- 18 **II-7** *The Chancellors shall appoint all personnel in their respective departments. The method of electing the Chancellors is prescribed in Article VII of this Constitution.*

ARTICLE III

- 19 **III-1** *The judicial power of the United States shall be vested in one Supreme Court, and in such inferior courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and inferior courts, shall hold their offices **for a term of ten years at which time they must pass a Congressional referendum on their competency to remain for another ten years;** they shall at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office. **The nine judges shall be appointed, with the advice and consent of the Senate, by a commission established by the President.***
- 20 **III-2.1** *The Supreme Court shall not have the authority to pass judgment on a duly constituted Act of Congress.*

ARTICLE IV

- 21 **IV-3.1** *The United States of America will be comprised of a union of twenty states.**
1. *Northern California*
 2. *Southern California*
 3. *Los Angeles*
 4. *New York City*
 5. *Chicago*
 6. *New America (formerly Maine, Rhode Island, Vermont, New Hampshire, Massachusetts and Connecticut)*
 7. *Appalachia (formerly Kentucky, West Virginia, and Tennessee)*
 8. *Mountaina (formerly Utah, Montana, Colorado, Wyoming, Nevada, and Idaho)*
 9. *Apache (formerly Texas, New Mexico, and Arizona)*
 10. *Dixie (formerly Florida, South Carolina, Alabama, and Georgia)*
 11. *Mississippi (formerly Mississippi, Louisiana, Arkansas, and Missouri)*
 12. *Pacifico (formerly Washington, Oregon, Hawaii, and Alaska)*
 13. *Atlantico (formerly Maryland, Delaware, Virginia, and North Carolina)*
 14. *Erielake (formerly western Pennsylvania and Ohio)*
 15. *Illiana (formerly Illinois and Indiana)*
 16. *Wampum (formerly Iowa, Kansas, Nebraska, and Oklahoma)*
 17. *Great Lakes (formerly Michigan and Wisconsin)*
 18. *Phlajersey (formerly Philadelphia and New Jersey)*
 19. *Pennyork (formerly New York and eastern Pennsylvania)*
 20. *Minnakota (formerly Minnesota, North Dakota, and South Dakota)*
- *(See map following Proposal 35.)*

ARTICLE V

- 22 **V** *Substitute **majority** for two-thirds and **two-thirds** for three-fourths.*

ARTICLE VII

(All of Article VII is new language. Its authors believe overpowering needs require regulating political parties and the electoral process.)

- 23 **VII-1.1** *The government of the United States will finance all elections.*
- 24 **VII-1.2** *If a political party finished first or second in the previous presidential election,*

the party is classified as a major party and is entitled to receive fifteen cents per citizen in the electoral district from the government; the party will also receive six free hours of television time.

25 **VII-1.3** *If a political party finished neither first nor second in the previous election, but received in excess of twenty-five percent of the vote, the party is classified as a minor party and is entitled to receive ten cents per citizen in the electoral district from the government; the party will also receive two free hours of television time.*

26 **VII-1.4** *If a political party finished neither first nor second in the previous election, nor received in excess of twenty-five percent of the vote, but received in excess of ten percent of the vote, the party is classified as an emerging party and is entitled to receive five cents per citizen in the electoral district from the government; the party will also receive one free hour of television time.*

27 **VII-1.5** *All costs of elections shall be paid by the government and there shall be absolutely no other means of financing elections.*

28 **VII-2** *All elections will be conducted, supervised and regulated by the Electoral Commission, which shall consist of five members appointed by the President for a term of seven years with the advice and consent of the Senate.*

29 **VII-3** *Representation in the House of Representatives will be based on the population of the state. The election system is to be one of proportional representation; the amount of seats that each party is entitled to is directly proportional to the percentage of the vote that the party received in the State.*

30 **VII-4** *Each state is entitled to five seats in the Senate. The first seat is reserved for a woman; the second is for a minority group member; the third is for a citizen under twenty-one years of age; the fourth and fifth seats are open seats. The candidate who receives the most votes is considered duly elected.*

(If this proposal is adopted, the seventeenth amendment is hereby repealed.)

31 **VII-5.1** *The parties will nominate their respective presidential candidates by means of a national primary to be held on the third Tuesday in August; conventions to nominate presidential candidates are not permitted in any circumstances.*

32 **VII-5.2** *The election for President will be held on the first Tuesday in November. A direct election system will be used; the Electoral College is hereby abolished. A candidate must receive in excess of fifty percent of the vote to be elected President. If none of the candidates receives a majority of the vote, a run-off election will be held on the following Tuesday between the top two candidates.*

(If this proposal is adopted, the twelfth amendment is hereby repealed.)

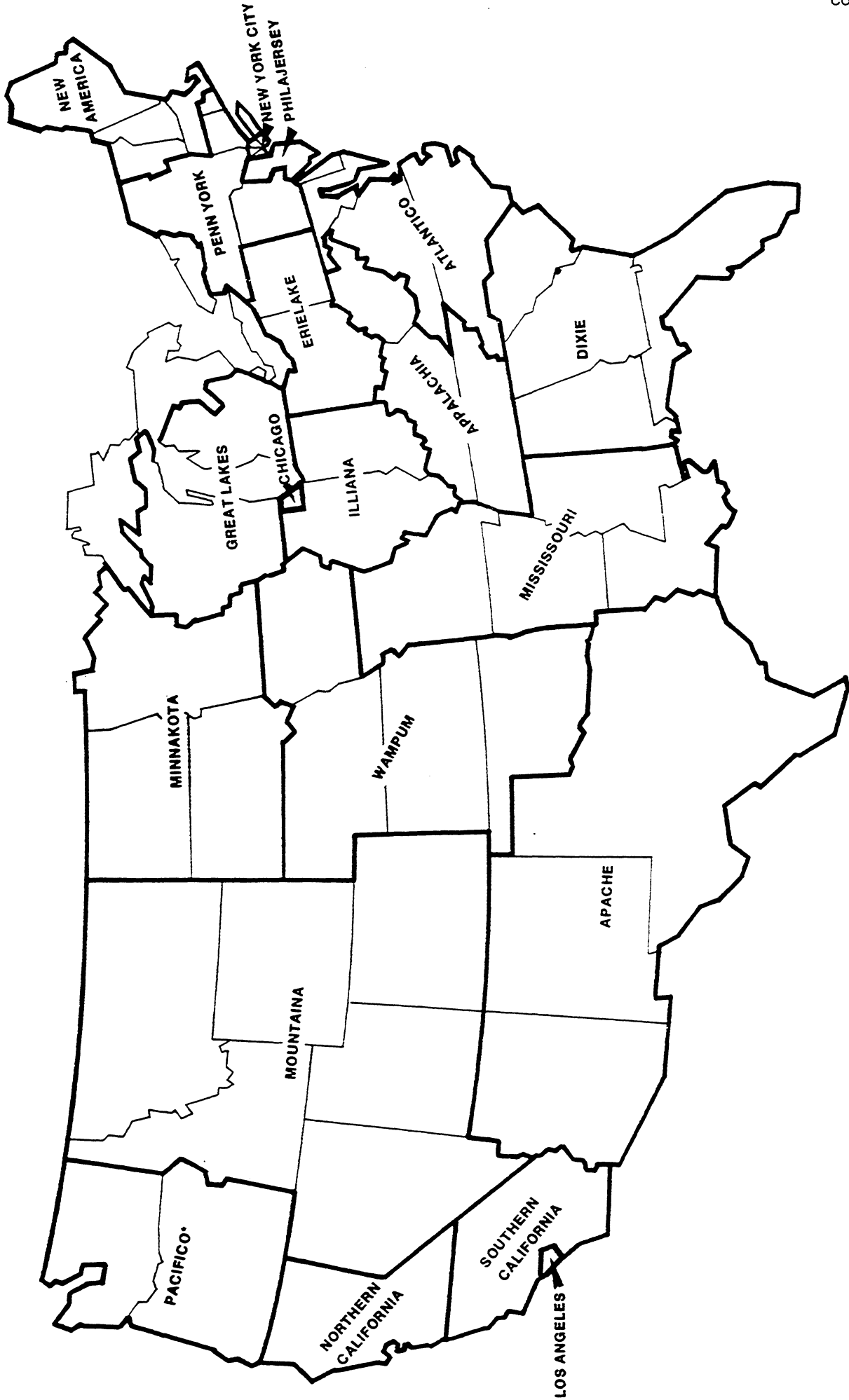
33 **VII-6** *The Chancellors of the Departments of Human Resources, Natural Resources, Finance, and Defense will be elected every five years following the same procedure for presidential elections.*

34 **VII-7** *Candidates for all positions are required to participate in no fewer than two debates in a proper public forum within one month before the election.*

ARTICLE VIII

(Article VIII is to take the place of the original Constitution's Article VII.)

35 **VIII** *The ratification of the conventions of two-thirds of the states shall be sufficient for the establishment of this Constitution between the states so ratifying the same.*



PROPOSED REORGANIZATION OF STATES

*PACIFICO includes Hawaii and Alaska

FACTION PROFILES AND GOALS

GENERAL INSTRUCTIONS

1. Hold a faction meeting and decide how to divide the state delegations among your members. How you do this is up to you. However, here are possible ways you might make this decision:
 - a. If the number of persons in your faction exactly matches the number of states (e.g., if there are six of you and you are the MINORITIES faction), you might write each state's name on a separate piece of 2 x 3" paper and then draw them out of a "hat."
 - b. If the number in your faction does not match the number of states (e.g., if there are six of you and you are the RADICALS faction, which has nine states), then you might try to give each faction member a different number of states to represent but as equal a number of delegates as possible. Continuing the RADICALS example above with six faction members and nine states — you might give one person Massachusetts (14); one person Minnesota (10); one person Wisconsin (11); one person Hawaii and Rhode Island (8); one person Utah and South Dakota (8); and the final person Oregon and Vermont (9). This would mean you had equalized voting power as much as you could, since the number of delegates a person controls represents the person's voting strength during the simulation.
2. Read your faction's profile so that you understand what your faction believes. Also carefully study the amendments you are to support as a member of this faction. (The amendments your faction wants added to the Constitution are found at the end of your faction's profile.) The numbers correspond to the amendments' numbers found on the 35 CONSTITUTIONAL AMENDMENTS handout.
3. Also study the state goals you are to support because you control a certain state's delegates' voting power. (The amendments your state wants added to the Constitution are found after the state's name.) **Note:** You may find your faction goals in conflict with your state goals. If this happens, you will have to decide which amendments you wish to support most actively; you will also find it beneficial to seek the aid of states not in your faction in order to gain support for certain amendments. Therefore, study with extreme care all information on this FACTION PROFILES AND GOALS handout.

RADICALS

(9 states, 60 delegates)

- **Hawaii:** 4 delegates **State Goals:** Amendments 5, 12, 20, 21, 22, 29, 30, 31, 32, 35
- **Massachusetts:** 14 delegates **State Goals:** Amendments 1, 17, 20, 21, 22, 31, 32, 33, 34, 35
- **Minnesota:** 10 delegates **State Goals:** Amendments 2, 17, 21, 22, 24, 25, 26, 33, 34, 35
- **Oregon:** 6 delegates **State Goals:** Amendments 12, 19, 20, 21, 22, 23, 24, 25, 26, 35
- **Rhode Island:** 4 delegates **State Goals:** Amendments 2, 4, 6, 7, 13, 19, 20, 21, 22, 35
- **South Dakota:** 4 delegates **State Goals:** Amendments 1, 3, 12, 19, 21, 22, 23, 29, 30, 35
- **Utah:** 4 delegates **State Goals:** Amendments 5, 21, 22, 24, 25, 26, 28, 29, 30, 35
- **Vermont:** 3 delegates **State Goals:** Amendments 21, 22, 24, 25, 26, 29, 30, 31, 32, 35
- **Wisconsin:** 11 delegates **State Goals:** Amendments 17, 21, 22, 24, 25, 26, 31, 32, 33, 34

You are motivated by the desire for a total revision of the Constitution. You believe that a group of men wrote it who were overly interested in protecting their own financial interests. Even today you consider the Constitution a device which over-protects the wealthy. Thus, you argue for drastic revision in order to bring about a society of true democracy and real equality. You particularly want amendments adopted that deal with the union of states, the amendment procedure and limitations on presidential power.

Faction Goals: Amendments 20, 21, 22, 24, 25

CONSERVATIVES

(9 states, 71 delegates)

- **Colorado:** 7 delegates **State Goals:** Amendments 1, 6, 7, 10, 11, 16, 19, 27, 28, 34
- **Florida:** 17 delegates **State Goals:** Amendments 6, 7, 10, 11, 20, 22, 27, 28, 34, 35
- **Iowa:** 8 delegates **State Goals:** Amendments 1, 4, 6, 7, 10, 16, 22, 27, 28, 34
- **Mississippi:** 7 delegates **State Goals:** Amendments 6, 7, 10, 11, 12, 24, 25, 26, 27, 34
- **Montana:** 4 delegates **State Goals:** Amendments 6, 7, 10, 11, 12, 24, 25, 26, 27, 34
- **Nebraska:** 5 delegates **State Goals:** Amendments 6, 7, 10, 12, 14, 24, 25, 26, 27, 34
- **New Hampshire:** 4 delegates **State Goals:** Amendments 1, 6, 7, 10, 12, 16, 20, 23, 27, 34

- **North Carolina:** 13 delegates **State Goals:** Amendments 6, 7, 10, 11, 12, 14, 16, 23, 27, 28
 - **West Virginia:** 6 delegates **State Goals:** Amendments 1, 6, 7, 10, 11, 14, 16, 23, 27, 28
- To you the Constitution is the greatest document ever conceived in the minds of mankind. Consequently, unnecessary tampering with this immortal document is not only illegal but also immoral. You argue that because of the Constitution, the United States has become the greatest democracy and the greatest country in the history of the world. Due to the increasing amount of public pressure for constitutional reform, however, you recognize the need for several minor amendments. Thus, you are willing to accept amendments dealing with the availability of public records, a code of ethics, committee procedure and election expenses.

Faction Goals: Amendments 6, 7, 10, 11, 23

ANTI-PRESIDENT (10 states, 78 delegates)

- **Alabama:** 9 delegates **State Goals:** Amendments 7, 8, 9, 10, 14, 16, 17, 18, 21, 33
- **Arizona:** 6 delegates **State Goals:** Amendments 8, 9, 10, 14, 15, 16, 17, 27, 31, 32
- **Arkansas:** 6 delegates **State Goals:** Amendments 6, 8, 9, 10, 14, 15, 16, 18, 31, 32
- **Georgia:** 12 delegates **State Goals:** Amendments 8, 9, 14, 15, 16, 17, 18, 21, 28, 33
- **Nevada:** 3 delegates **State Goals:** Amendments 10, 11, 14, 15, 16, 17, 18, 21, 27, 33
- **New Jersey:** 17 delegates **State Goals:** Amendments 8, 9, 14, 15, 16, 17, 18, 20, 21, 33
- **North Dakota:** 4 delegates **State Goals:** Amendments 8, 9, 10, 11, 13, 17, 18, 20, 21, 33
- **South Carolina:** 8 delegates **State Goals:** Amendments 5, 6, 7, 8, 9, 10, 18, 29, 30, 33
- **Tennessee:** 10 delegates **State Goals:** Amendments 1, 8, 9, 10, 15, 16, 17, 19, 31, 33
- **Wyoming:** 3 delegates **State Goals:** Amendments 8, 9, 12, 13, 14, 16, 18, 19, 21, 33

You believe that the only major constitutional change needed is a strict limitation on the powers of the presidency. Obsessed with the idea that the modern, twentieth century American presidency has approached the status of monarchy, you stress that the extent of present presidential power totally violates the basic principle of our Constitution — separation of powers. You argue that the executive branch has become so powerful that neither Congress nor the Supreme Court can effectively check and balance the President. Therefore, you strongly advocate all amendments which would limit presidential power.

Faction Goals: Amendments 14, 15, 16, 18,

MINORITIES (6 states, 83 delegates)

- **Alaska:** 3 delegates **State Goals:** Amendments 1, 2, 3, 4, 8, 9, 21, 22, 30, 35
- **California:** 45 delegates **State Goals:** Amendments 2, 5, 12, 13, 19, 20, 21, 22, 30, 35
- **Connecticut:** 8 delegates **State Goals:** Amendments 3, 4, 5, 12, 13, 21, 22, 29, 30, 35
- **Indiana:** 13 delegates **State Goals:** Amendments 4, 13, 19, 20, 21, 22, 27, 28, 30, 35
- **Maryland:** 10 delegates **State Goals:** Amendments 2, 4, 21, 22, 23, 24, 25, 26, 30, 35
- **New Mexico:** 4 delegates **State Goals:** Amendments 5, 13, 21, 22, 27, 28, 29, 30, 33, 35

A group primarily composed of women, young people and representatives of various minority ethnic groups (Blacks, Chicanos, Native Americans), you claim that Americans regularly discriminate against your members *throughout* the United States. Believing that the Constitution stands as a bulwark to your attainment of political power, you argue that the only way that women, youth and ethnic minority groups can guarantee the preservation of their basic rights is by drastically revising the Constitution. You particularly want amendments that would benefit minority groups such as minimum and maximum age requirements and the new election system for the House of Representatives and the Senate.

Faction Goals: Amendments 2, 4, 13, 21, 30

MODERATES (10 states, 78 delegates)

- **Delaware:** 3 delegates **State Goals:** Amendments 6, 7, 10, 11, 14, 19, 21, 23, 27, 34
- **Idaho:** 4 delegates **State Goals:** Amendments 1, 6, 7, 10, 11, 19, 23, 27, 28, 34
- **Kansas:** 7 delegates **State Goals:** Amendments 6, 7, 11, 14, 15, 16, 19, 23, 27, 31
- **Kentucky:** 9 delegates **State Goals:** Amendments 6, 7, 11, 14, 16, 18, 19, 23, 27, 34
- **Louisiana:** 10 delegates **State Goals:** Amendments 6, 7, 10, 11, 15, 16, 18, 19, 23, 27
- **Maine:** 4 delegates **State Goals:** Amendments 1, 6, 7, 11, 16, 23, 24, 25, 26, 27
- **Missouri:** 12 delegates **State Goals:** Amendments 1, 6, 7, 11, 23, 24, 25, 26, 27, 35
- **Oklahoma:** 8 delegates **State Goals:** Amendments 6, 7, 8, 9, 10, 11, 14, 23, 27, 35
- **Virginia:** 12 delegates **State Goals:** Amendments 1, 6, 7, 10, 11, 16, 22, 23, 27, 28
- **Washington:** 9 delegates **State Goals:** Amendments 1, 5, 6, 7, 10, 11, 23, 27, 29, 30

You are a diverse group with mixed opinions regarding the 35 proposed amendments. Though you have a great deal of respect for the Constitu-

tion, you nevertheless recognize the need for major changes. You are particularly concerned with amendments dealing with the publication of records, the establishment of a watchdog committee, the establishment of a code of ethics and certain limitations on the power of the presidency.

Faction Goals: Amendments 6, 7, 11, 14, 16

BIG STATES
(6 states, 166 delegates)

- **Illinois:** 26 delegates **State Goals:** Amendments 5, 6, 7, 21, 23, 27, 29, 30, 31, 34
- **Michigan:** 21 delegates **State Goals:** Amendments 5, 6, 7, 12, 21, 22, 23, 27, 29, 30
- **New York:** 41 delegates **State Goals:** Amendments 5, 6, 7, 12, 19, 21, 23, 27, 29, 30
- **Ohio:** 25 delegates **State Goals:** Amendments 5, 6, 7, 13, 20, 21, 23, 27, 29, 30
- **Pennsylvania:** 27 delegates **State Goals:** Amendments 5, 6, 7, 8, 12, 21, 23, 27, 29, 30
- **Texas:** 26 delegates **State Goals:** Amendments 5, 6, 7, 8, 21, 23, 27, 29, 30, 32

You are convinced that large states are discriminated against because of the current equal representation requirement that gives each state, regardless of its size, two Senators in Congress. You argue that this principle of equal Senatorial representation denies large states — and therefore most Americans — the constitutional guarantee of “equal protection under the laws” because people living in large states are denied the right of *one man equals one vote*. Thus, you strongly advocate the amendment dealing with the proposed union of states. Except for this revision, the members of this group tend to be classified as moderates on most other amendments.

Faction Goals: Amendments 5, 6, 7, 21, 30

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.

RULES OF PROCEDURE

Study these rules carefully so that you will be able to participate effectively in the simulation.

CONVENTION RULES COMMITTEE DIRECTIONS

1. After each faction has designated its representative to the committee, the committee should caucus in the area set aside for it and then should select a chairperson. A simple majority is needed for election.
2. Each committee member has one vote during committee proceedings.
3. The chairperson presides over all meetings of this committee and the actual convention itself.
4. All committee meetings will be in *open executive session*. This means that only committee members may speak, debate and vote. However, all delegates will attend and listen.
5. Listening delegates may write notes to committee members, including requests for a recess if they believe their representative needs to present some new material to the committee. (*Having a recess is quite important, for once an amendment is accepted by this committee for convention consideration, it must be accepted or rejected by the delegates as it is written. No changes will be allowed during floor debate.*) Any committee member may request and obtain a recess if a majority of the committee so votes.
6. After the committee has caucused to select the chairperson, the chairperson should ask for quiet and call the meeting to order. (The chairperson has the power to fine those persons who are disorderly, 1 to 3 grade points.)
7. The committee may take action only by formal motion as follows: a) a member makes one of the motions given below; b) another member "seconds" the motion (otherwise, the motion dies); c) the committee discusses the motion; d) the committee votes on the motion. Only a simple majority is needed to pass the motion. Ties are considered a negative vote, and the chair always votes. Here are motions members may make:
 - "Mr. (or Ms. Chairperson, *I move that we consider...*(some action - e.g., Amendment 13, to amend Article II, Section 1, Clause 4, dealing with the age requirements for President)."
 - "Mr. (or Ms.) Chairperson, *I move to amend* the motion on the floor by...(some action - e.g., raising the minimum age requirement to 30)."

- "Mr. (or Ms.) Chairperson, *I move to table* the motion on the floor." (No discussion; the vote is taken immediately. Normally, a successful motion to table "kills" a motion.)
 - "Mr. (or Ms.) Chairperson, *I move for a recess.*" (May be offered at any time. Cannot be over 5 minutes.)
8. Once a majority of the committee has agreed on an amendment, you should record this on the PROPOSAL AGENDA sheet. Continue consideration of the amendments until you reach your quota. (It is recommended that a maximum of 15 amendments be selected for consideration by the convention. Committee members should select carefully, for they will receive *bonuses* for those selections proposed and ratified; but *penalties* for those selections turned down. See SCORING RULES.)

CHAIRPERSON DIRECTIONS FOR CONVENTION MEETINGS

1. With your instructor's help, arrange room with your desk in front. If possible, place a lectern in a "speech area" located in the center of the "floor."
2. Ask everyone to sit down. Then ask for quiet. After asking for quiet twice, you have the power to fine anyone 1-3 points. (If a person continues to be unruly, have the Sergeant-at-Arms — i.e., your instructor — remove him or her.)
3. Ask all to rise for the Pledge of Allegiance. (This isn't always necessary, but it helps set the "tone" of the convention.)
4. Call the sponsors of the amendments according to the order listed on the PROPOSAL AGENDA prepared by the Convention Rules Committee.
5. Each sponsor has 3-5 minutes to explain why this amendment should be proposed and ratified and ends his speech with a motion that the convention *propose* this amendment for ratification.
6. After each speaker finishes, open the floor to the delegates for a 10-15 minute debate on this specific proposal motion. Delegates may move to end debate, to table, or to recess: but they cannot propose a new amendment until the one on the floor is either accepted or rejected. Nor can they move to amend the proposal or change it in any way.
7. Follow these rules for the debate:
 - a. All speakers must stand and be recognized by you before being given the floor.
 - b. All speakers are limited to no more than 2 minutes.

- c. Each member may speak only once unless another member relinquishes his time to him.
- d. Motions to end debate, to table, or to recess, if seconded, must be voted on immediately. (Only a simple majority is needed to end debate or recess, but a 2/3 majority is needed to table.)
- e. Vote counts on all these motions (7-a-b-c-d above) can be taken in any of the following ways:
 - by **voice**: Simply ask all in favor to say "Aye" and those opposed to say "Nay." Then decide who wins
 - by **tally** if a member asks for a "Division of the House": Ask all to stand who are in favor and quickly tally their total votes. Then do the same for all who are opposed. Announce who wins.
 - by **roll call** if at least 5 delegates ask for it: After one member asks for a roll call, ask if any more also wish one. If 4 or more raise their hands, conduct a roll call as follows:
 - a) Appoint 2 members to keep running tallies: one for YES votes, one for NO.
 - b) Using the list of state delegations on the PROPOSAL AGENDA, call off the states in order, noting the number of votes each state has and making sure each state reports the correct amount.
 - Delegates may not split their individual state amounts, but may split their states' votes if they represent more than one state.
 - Members may "pass" the first time called, but they must vote the second time the chairperson goes through the list.
 - Members may call for a recess during the roll call — see 7d above.
 - No vote by proxy is permitted — the votes of absent delegates may not be cast by anyone else.
 - c) Check tallies and announce decision.

Note well: Try to avoid roll calls on these motions when an obvious majority exists. Roll calls, while exciting at first, take considerable time and become deadeningly boring. Remember that you are working under a deadline set by your instructor.

- 8. After the debate is finished, proceed to the final vote on the amendment proposal.

- 9. All final votes on amendment proposals must be by roll call vote. Follow procedure 3 under 7e above. (Remember a 2/3 vote is needed for proposal.)
- 10. If the amendment is proposed, place it on the RATIFICATION AGENDA for later consideration and proceed to the next item on the PROPOSAL AGENDA. If the amendment is defeated, scratch it from the list and proceed to the next item.
- 11. After all items on the PROPOSAL AGENDA have been completed, proceed to the RATIFICATION AGENDA and follow the same debate procedures as above. Use the RATIFICATION SCORESHEET during the roll calls. (Remember a 3/4 vote is needed to ratify the amendment.)

DELEGATES' DIRECTIONS

- 1. After the sponsor has finished his speech, you may make any of the following motions: however, before you do, carefully note each motion's effect:

MOTION

EFFECT

- "I move to **end debate** (or to "**call for the question...**") Asks chair to take a vote of the convention to end debate in order to vote on the motion on the floor.
- "I move to **recess...**" Recesses (up to 5 minutes) are usually used for bargaining purposes.
- "I rise for a **point of order...**" Allows you to ask a question about procedure. (Normally your instructor will act as parliamentarian.)
- "I move to **table...**" Asks that motion be put aside for consideration later. (Usual effect is to "kill" the motion as it requires 2/3 vote to pass and then, later, a 2/3 vote to remove from the "table" for reconsideration.)

- 2. During debate you may speak only once for no longer than 2 minutes on any one motion. To speak again you must arrange for another

member to be recognized by the chair in order to give you his/her time.

3. Note carefully the 3 voting record possibilities listed in the instructions for the chairperson (see 7e above).
4. When the final vote is taken on any original motion, record all votes as they are given either on your PROPOSAL SCORESHEET or your RATIFICATION SCORESHEET. This will help you keep track of the way the voting is going and may influence your decision to "pass" or ask for "a recess."
5. If after the voting is over, the result affects one of your individual or group goals, record it on your INDIVIDUAL SCORESHEET.

SCORING RULES

1. Delegates receive 12 points for every goal (individual and/or group) the Convention Rules Committee recommends; 24 points for every goal (individual and/or group) the convention proposes; and 24 points for every goal (individual and/or group) ratified by 3/4 of the state conventions.
2. Members of the Convention Rules Committee receive a bonus of 6 points for every recommendation that is proposed and 12 more points if ratified; however, they receive a penalty of 6 points for every recommendation that fails to win proposal or ratification, except no penalty will be assessed for any proposal not debated for ratification (see below). Hence, committee members should recommend only those amendments that likely will be approved by the necessary 2/3 and 3/4 majorities.
3. **ONLY 5 AMENDMENTS MAY BE RATIFIED.** After 5 amendments have been ratified, the simulation is completed and no further amendments can be considered. Thus, the order the amendments appear on the PROPOSAL AGENDA and RATIFICATION AGENDA is extremely important.

PROPOSAL AGENDA

Members of the Convention Rules Committee complete and sign this sheet. The chairperson fills out the last 2 columns after the voting has taken place. The PROPOSAL AGENDA is then submitted to your instructor.

Agenda Sequence	Amendment Number	Amendment Title	Constitutional Source	Vote	Final Action Taken
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					

Signed by members of Convention Rules Committee:

chairperson

RATIFICATION AGENDA

The chairperson completes and signs this sheet. It is then submitted to your instructor at the end of the simulation.

Agenda Sequence	Amendment Number	Amendment Title	Constitutional Source	Vote	Final Action Taken
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					

Signed by chairperson of the convention:

chairperson

INDIVIDUAL SCORESHEET

	your faction	your state(s)	your name		
1	STATE GOALS (List below)	Accepted by Convention Rules Committee (Yes=12; No=0)	Proposed by the Convention (Yes=24; No=0)	Ratified by Convention (Yes=24; No=0)	Total Points for each Goal
STATE TOTAL					_____ 1

2	FACTION GOALS (List below)	Accepted by Convention Rules Committee (Yes=12; No=0)	Proposed by the Convention (Yes=24; No=0)	Ratified by Convention (Yes=24; No=0)	Total Points for each Goal
FACTION TOTAL					_____ 2

3 AMENDMENT JUSTIFICATION research (Evaluated by teacher)
Attach these sheets underneath. _____ **3**

4 SPEECH AND DEBATE (Evaluated by teacher) _____ **4**

5 OBJECTIVE TEST (Evaluated by teacher) _____ **5**

6 ESSAY TEST (Evaluated by teacher) _____ **6**

7 MISCELLANEOUS (Convention Rules Committee members should list bonuses or penalties here — see SCORING RULES. List any other point award given you by your teacher for any assignments/activities not covered in 6 areas above.)

Description	Points	
_____	_____	
_____	_____	
_____	_____	
_____	_____	
	Total	_____ 7

Teacher comments:

Total Points Awarded

Letter grade for the simulation

DE-BRIEFING AND EVALUATION

Either in discussion groups or in written essay answers, explain what you believe and what you know about the following items.

EVALUATION OF YOUR ROLE

- 1 Was the role to which you were assigned realistic? Why or why not?
- 2 As the simulation progressed, did your interpretation of and behavior in your role change? If so, how and why?
- 3 What are your reactions to your successes and failures in your role?

EVALUATION OF YOUR SUCCESS

- 4 Explain what caused your score to be high or low.
- 5 Did you learn anything about yourself while participating in this simulation? Explain.

EVALUATION OF THE SIMULATION

- 6 Did the simulation help you understand the Constitution?
- 7 What was the best part of the simulation? Why?
- 8 What was the poorest part of the simulation? Why? What should be done to improve it?

EVALUATION OF YOUR KNOWLEDGE

- 9 How easy is it to amend the Constitution today?
- 10 How do you account for the great endurance of the Constitution?
- 11 What are the major arguments for and against the Constitution's separation of powers and system of checks and balances?
- 12 Is the system of checks and balances working today?
- 13 What is meant by "strict" and "broad" interpretations of the Constitution?
- 14 Discuss which 3 of the 35 proposed amendments you would **most like to see added** to our Constitution.
- 15 Discuss which 3 of the 35 proposed amendments you would **least like to see added** to our Constitution.

OBJECTIVE TEST

Your name _____

I. MULTIPLE CHOICE (Select the most appropriate answer.)

- _____ 1. Permission for amendments to the Constitution can be found in A. the Preamble B. Article III of the Constitution C. Article V of the Constitution D. the Bill of Rights
- _____ 2. The first ten amendments to the Constitution, or Bill of Rights, were adopted in A. 1776 B. 1791 C. 1803 D. 1865
- _____ 3. Amendments to the Constitution may be proposed by A. a 2/3 vote of the Senate B. legislatures in 3/4 of the states C. a simple majority of both houses of Congress D. a convention called by Congress on petition of 2/3 of the state legislatures
- _____ 4. Amendments to the Constitution may be ratified by A. simple majority approval in conventions in 3/4 of the states B. 3/4 majority vote in Congress C. approval in 2/3 of the state legislatures D. the Supreme Court
- _____ 5. A person seeking election to the House of Representatives must be A. at least 25 years old B. at least 30 years old C. a natural born citizen D. at least old enough to vote in his home state
- _____ 6. The direct election of Senators was provided for in A. Article I of the Constitution B. Article III of the Constitution C. the Bill of Rights D. the Seventeenth Amendment
- _____ 7. A specific limit to the length of time an individual can hold the Presidency was set by A. the Supreme Court B. the Twenty-second Amendment C. Congress D. both major political parties
- _____ 8. Since the adoption of the Bill of Rights, the Constitution has been amended only A. 5-10 times B. 11-20 times C. 21-30 times D. 31-40 times
- _____ 9. Congress today A. is stronger than it was in 1791 in its control of governmental policy B. is weaker than it was in 1791 in its control of governmental policy C. is about the same as it was in 1791 in its control of governmental policy D. is the only true power in federal governmental policy
- _____ 10. The Fourth Amendment protects a citizen A. so that he is not subjected to unreasonable searches B. so that he is not compelled to give witness against himself C. so that he can freely worship as he pleases D. so that he can have a speedy and public trial
- _____ 11. "Separation of powers" means that A. there are separate institutions which share powers B. each branch is completely independent of the others C. states have reserved powers D. selection of officials in each branch is beyond the control of any other branch
- _____ 12. Which of the following is **not** an example of the shared powers of the three branches of the American government? A. The President can veto legislation B. The Federal courts can invalidate presidential actions C. The Supreme Court can impeach the President D. The Congress can cut off military appropriations
- _____ 13. The feature of the Constitution which stimulated most debate during the twentieth century is A. the amendment process B. the bicameral legislature C. congressional government D. the Bill of Rights
- _____ 14. The Constitution has endured as the oldest written constitution in modern history because A. all institutions were spelled out in elaborate detail B. it has had an unusually large number of amendments C. the men who wrote it left parts purposely vague and subject to varying interpretations D. most fundamental issues were avoided

- _____ 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.

- _____ 18. The Eighth Amendment requires a search warrant.
- _____ 19. The election system for the House of Representatives is called proportional representation.
- _____ 20. Constitutionally, the President is the single official channel of communications between the United States and foreign powers.

III. IDENTIFICATIONS (Define the following political terms or concepts.)

1. "the founding fathers"

2. constitutional government

3. Articles of Confederation

4. *The Federalist Papers*

5. economic interpretation of the Constitution

6. veto power

7. ratification

8. federal government

9. impeachment

10. check and balance system

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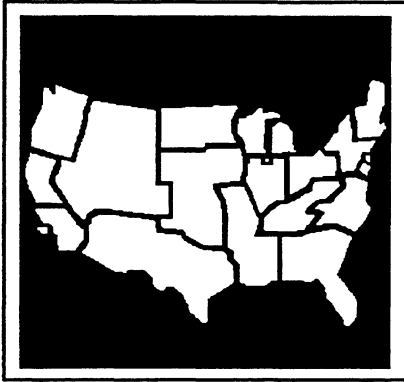
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CONSTITUTION

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

STUDENT GUIDE

Many persons consider our Constitution one of the greatest works in the history of mankind. It has served as the foundation of American democracy for nearly two centuries. Nevertheless some people today feel that American democracy has become unresponsive to the needs of the majority of our citizens. If this charge contains any truth, then the fundamental fault must lie somewhere in our Constitution. Sadly, too few Americans understand the structure and function of our Constitution. This simulation will involve you in the Constitution and thereby increase your comprehension of the document from which all principles of American democracy flow.

Convention delegates All of you will be assigned roles of delegates at a contemporary National Convention. You will represent a certain state delegation and will control that delegation's votes at the convention. You will also belong to one of six factions present at the convention: **Radicals, Conservatives, Anti-President Bloc, Minorities, Moderates, and Big-Stages bloc.** Each faction will propose different amendments. Several of you will also serve on the Convention Rules Committee. This committee, comprised of one member from each faction, will select the amendments to be considered by the convention.

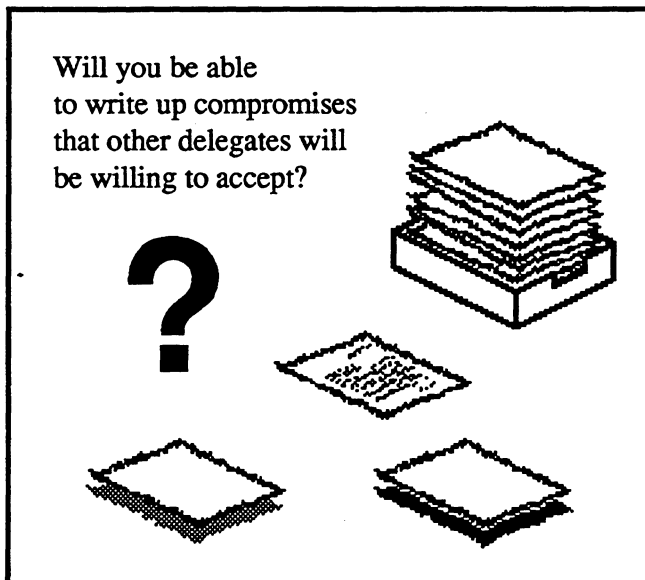
Amendments A total of 35 amendments are up for consideration. Here are sample amendments: minimum and maximum age requirements for Congresspersons; limitations on presidential

power; government financing of elections; abolition of the Vice President; changes in the election system; limitations on the Supreme Court's power; and most controversial of all—a decrease in the number of states in America from 50 to 20 in order to form a more logical union based upon locations of resources, population, transportation, communication, and economic and social arrangements. (If this amendment is proposed and then ratified, the current federal union would be drastically changed. Three examples: 1) California would become three states—Northern California, Southern California and Los Angeles; 2) Florida, South Carolina, Alabama and Georgia would become one new state called Dixie; 3) each new state would have five senators.)

Goals Your positions on the amendments will be influenced by your faction and state identities. You will receive a list of which amendments you will back. Sometimes you will find your faction and state goals in conflict. A major problem during this simulation is that only up to 15 amendments may be proposed by the convention and only five may be ratified by the states. Therefore, you will have to bargain effectively with other delegates to achieve some of your goals. You will receive 12 points for each of your amendments recommended for consideration by the Constitutional Committee; 24 points for each of your amendments that wins proposal; and 24 points for each of your amendments that wins ratification. In order to get your amendments adopted, work with your faction members so that they caucus with

other factions' members. Strive to develop a winning coalition of votes.

Amendment proposals After the Convention Rules Committee makes its recommendations, the entire convention assembles to propose amendments. Article V of the Constitution provides that amendments must be proposed either by a *2/3 vote of both houses of Congress or by a 2/3 vote of a National Constitutional Convention*. Since this simulation uses the latter method, you will be a delegate at the convention; you will make speeches, debate, and bargain for support for your amendments.



Amendment ratifications After the amendments have been successfully proposed, the simulation moves to a ratification phase which is also governed by Article V of the Constitution. Article V states that amendments must be ratified either by legislatures in 3/4 of the states or by conventions in 3/4 of the states. For this simulation, each delegate completely controls the ratifying vote of each state he represents. Consequently, be aware that although it may be quite easy to build a 2/3 majority coalition among the delegates at the convention, it will likely be extremely difficult to win a 3/4 majority of states, since a bloc of only 13 states can defeat ratification of any amendment. Thus, you must be willing to compromise and create working coalitions.

Specific assignments Besides role-playing a delegate at a National Constitutional Convention, you will also be asked to perform the following assignments:

- Read appropriate sections of your text.
- Research in magazines and books available in your classroom or school library.
- Write AMENDMENT JUSTIFICATIONS for the amendments most important to you.
- Deliver speeches defending your amendments.
- Participate in floor debates during a simulated National Constitutional Convention.
- Bargain with your classmates and exchange political power.
- Participate in small group debriefing discussions and, possibly, act as your group's representative on a panel.
- Take objective and essay tests to evaluate your new knowledge and attitudes.

Since you will be using knowledge gained from completing these assignments to help you attain your simulation goals, you will find that learning is not boring when knowledge becomes power.

Conclusion Although you may never be a delegate at a Constitutional Convention, the author hopes that participating in CONSTITUTION will stimulate you to make a positive contribution toward improving democracy in America. As the late Senator Robert F. Kennedy paraphrased George Bernard Shaw's dictum, "Some people see things the way they are and ask, *'Why?'* I dream of things that never were and ask, *'Why not?'*" Possibly this simulation will help you care enough to ask "Why not?" and then to do something as a citizen living under our ever-changing Constitution of 1787.