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| East Carolina UniversityHIED 3001Unit Analysis MapCourse: Civics and Economics/AP US GovernmentSchool: JH Rose High School\_\_\_\_\_Instructor:\_Liza Knight and Stephanie Noles\_\_\_ |
| Unit topic: Constitutional Foundations and Underpinnings of United States Government |
| Common Core State Standards for this learning segment:**Common Core Reading Standards for Literacy in History/Social Studies:**Integration of Knowledge and Ideas8. Delineate and evaluate the argument and specific claims in a text, including the validity of the reasoning as well as the relevance and sufficiency of the evidence.9-12 (Evaluate an author’s premises, claims, and evidence by corroborating or challenging them with other information.) |
| NC Essential Standards for this learning segment:CE.C&G.1 Analyze the foundations and development of American government in terms of principles and values.CE.C&G.1.1 Explain how the tensions over power and authority led America’s founding fathers to develop a constitutional democracy (e.g., mercantilism, salutary neglect, taxation and representation, boycott and protest, independence, American Revolution, Articles of Confederation, Ben Franklin, George Washington, John Adams, Sons of Liberty, etc.).CE.C&G.1.2 Explain how the Enlightenment and other contributing theories impacted the writing of the Declaration of Independence, the US Constitution and the Bill of Rights to help promote liberty, justice and equality (e.g., natural rights, classical theories of government, Magna Carta, Montesquieu, Locke, English Bill of Rights, etc.).CE.C&G.1.3 Evaluate how debates on power and authority between Federalists and Anti-Federalists have helped shape government in the United States over time (e.g., Hamilton, Jefferson, Madison, Federalist Papers, strong central government, protection of individual rights, Elastic Clause, Bill of Rights, etc.).CE.C&G.1.4 Analyze the principles and ideals underlying American democracy in terms of how they promote freedom (i.e. separation of powers, rule of law, limited government, democracy, consent of the governed, individual rights –life, liberty, pursuit of happiness, self- government, representative democracy, equal opportunity, equal protection under the law, diversity, patriotism, etc.).CE.C&G.1.5 Evaluate the fundamental principles of American politics in terms of the extent to which they have been used effectively to maintain constitutional democracy in the United States (e.g., rule of law, limited government, democracy, consent of the governed, etc.). |
| Previous knowledge needed:- Basic knowledge of Colonization and the Revolutionary War- Basic knowledge of Enlightenment Ideas- Understanding of the reasons the 13 Colonies wanted to separate from Great Britain- Terms related to Supreme Court decisions | Previous skills needed:-paragraph writing-argumentative writing- document analysis skills-synthesis skills related to document based questions |
| Summative assessment: Pick a contemporary and controversial political topic (Ex: Health Care Bill/Supreme Court Case, Citizens United v. FEC/Campaign Finance Limits). The topic should be something that is currently in the news so that it engages the students. It should also be a topic that presents either an original dilemma (freedom vs. order) or modern dilemma (freedom vs. equality). Select several documents or excerpts from documents for the students to read about the topic. The selected documents should provide different viewpoints or perspectives on the topic. The selected documents should also include both primary and secondary sources. After reading the selected documents, the students should create their own written response to questions that require the students to interpret this contemporary topic through the historical lens of the Federalists, Anti-Federalists, and the original intent of the Constitution. **Specific Task for 2012-2013:**1. Topic: The Affordable Care Act Cases2. Texts: Excerpt from Majority Opinion by Roberts Excerpt from Concurring Opinion by Ginsburg  Excerpt from Dissenting Opinion by Scalia *Supreme Court Rules ObamaCare is Constitutional,* By Kathryn Buschman Vasel*,* Published June 28, 2012*,*FOXBusiness (<http://www.foxbusiness.com/industries/2012/06/28/health-care-supreme-court/>) *Roberts Rules: What the Health Care Decision Means for the Country,* By David Von Drehle, Published, June 29, 2012, Time Magazine (<http://swampland.time.com/2012/06/29/roberts-rules-what-the-health-care-decision-means-for-the-country/?iid=sl-main-feature>)3. Prompt:Using your knowledge of how and why the U.S. Constitution was created, write a persuasive essay that addresses the following questions. You must use specific evidence from the texts to support your arguments.* Would the Federalists have supported the Supreme Court’s decision in the Affordable Care Act case? What arguments would they have made for or against the ruling? Which opinion would they most agree with?
* Would the Anti-Federalists have supported the Supreme Court’s decision in the Affordable Care Act case? What arguments would they have made for or against the ruling? Which opinion would they most agree with?

Did the Supreme Court justices correctly interpret the Constitution in the Affordable Care Act case? Was the majority opinion in line with the founding fathers’ original intent of the meaning of the Constitution? |
| Lesson | 1. Lesson topic
2. Lesson essential question
3. Specific common core/essential standard
 | Lesson instructional activities | Formative assessments: |
| Lesson 1 | 1. The Colonial Mindset
2. Why did many colonists want to separate from Britain? What did they want to do differently?
3. CE.C&G.1.1 Explain how the tensions over power and authority led America’s founding fathers to develop a constitutional democracy.

CE.C&G.1.2 Explain how the Enlightenment and other contributing theories impacted the writing of the Declaration of Independence, the US Constitution and the Bill of Rights to help promote liberty, justice and equality. | * Review the Causes of the Revolutionary War
* Show Boston Massacre Trial Clip from the John Adams HBO series- Discuss the “Colonial Mind” based on what is presented in the clip
* Teach the concept of original dilemma (freedom vs. order) and the modern dilemma (freedom vs. equality)- Discuss the dilemmas

In small groups, have students come up with a historic example and a modern day example for each of the dilemmas- Groups will share their examples with the class and lead the class in discussion | Student derived examples by group of modern and original dilemmas |
| **Lesson one vocabulary**Original dilemma, Modern dilemma, salutary neglect | **Lesson one language functions**Analyze, explain, justify |
| **Planned differentiation using Gardner’s Multiple Intelligences:****Massacre trial clip – visual/spatial learners****Group activity on original vs. modern dilemma - interpersonal** |
| Lesson 2 | 1. The Articles of Confederation and Shay’s Rebellion
2. What were the weaknesses of the Articles of Confederation? Why did they not work for the new nation?

CE.C&G.1.1 Explain how the tensions over power and authority led America’s founding fathers to develop a constitutional democracy | * Class discussion on what were the Articles of Confederation (Pull from knowledge gained in previous lesson on the Colonial Mind)- Why did the founding fathers set up the Articles the way that they did?
* Students will read the Articles of Confederation and identify any weaknesses or possible problems with the document- Go over these as a class and add any that were not identified
* With a partner, students will discuss what potential problems these weaknesses may have created for the new nation
* Shays’ Rebellion Simulation- Students’ desks are taken from them if they can’t or won’t pay ($ or candy). Desks should be taken by an outside force, not the teacher or other students in the classroom. Students will have time to develop a response (rebellion?) to their desks being taken. Teacher will NOT help them get their desks back. Teacher will lead processing of simulation and relate it to Shays’ Rebellion
* Show "Shays’ Rebellion: America's First Civil War” video from the *10 Days That Unexpectedly Changed America* History Channel series OR have students look at primary sources from Shays’ Rebellion (great sources at <http://shaysrebellion.stcc.edu>)

Students craft written response to question: How did Shays’ Rebellion change the course of American History? | Students’ lists of the weaknesses and potential problems associated with them.Written response to question: How did Shays’ Rebellion change the course of American History? |
| **Lesson two vocabulary**Confederation, insurrection, treaty, commerce, interstate | **Lesson two language functions**Comparison, contrast, analyze, evaluate, defend |
| **Planned differentiation using Gardner’s Multiple Intelligences:**Discussion on nature of Articles of Confederation – auditory learnersChart of weaknesses and potential problems – visual spatialShays’ Rebellion simulation – bodily-kinesthetic |
| Lesson 3 | 1. The Constitutional Convention
2. What compromises were made to create the new Constitution? Why were these compromises made?

CE.C&G.1.2 Explain how the Enlightenment and other contributing theories impacted the writing of the Declaration of Independence, the US Constitution and the Bill of Rights to help promote liberty, justice and equality | * Assign students a state or a specific representative that was present at the Constitutional Convention. The students need to research their assigned state/representative. Research could be done for homework or in class.
* Students will participate in a mock constitutional convention. During the convention, the students will have to address issues of Representation, Slavery, States’ Rights, and Electing a President.
* The students will compare and contrast the decisions made at their constitutional convention with the decisions made at the real constitutional convention

Students will respond to the question: “How would the constitutional convention have been different if Facebook, twitter, and the internet existed?” | Comparison and contrast diagram – decisions made at conventionStudent response to question: How would the constitutional convention have been different if Facebook, twitter, and the internet existed? |
| **Lesson three vocabulary**Delegate; apportionment; compromise; bicameral; electoral; reserved powers; limited government; separation of powers; checks and balances | **Lesson three language functions**Examine, compare/contrast, construct |
| **Planned differentiation using Gardner’s Multiple Intelligences:****Mock convention – bodily kinesthetic and existential****Mock convention – interpersonal** |
| Lesson 4 | 1. Federalists vs. Anti-Federalists in the Ratification Debate
2. What were the major arguments of the Federalists and the Anti-Federalists

CE.C&G.1.3 Evaluate how debates on power and authority between Federalists and Anti-Federalists have helped shape government in the United States over time | * Students will read Federalist 10, Federalist 51 , and Letters from the Federal Farmer (Letter I) and answer questions as they read to help insure understanding
* The teacher will work with the students to create a visual diagram of the arguments presented in Federalist 10
* In small groups, the students will then create their own visual diagrams of Federalist 51 or Letter from the Federal Farmer. The diagrams will be created on the I-Pad and projected for the class to see through Apple TV. Student groups will explain their diagram to the class. The diagram should not be a standard outline.
* The class will discuss/analyze/debate the merits of each sides’ arguments and create a T-Chart summarizing each sides’ core arguments

Each student will create a political cartoon representing the views of either the Federalists or the Anti-Federalists | Student generated visual diagramsT-chart summary of core argumentsPolitical cartoons representing views of the two sides |
| **Lesson four vocabulary**federalism, tyranny, ratification | **Lesson four language functions**Describe, analyze, argue, defend, justify |
| **Planned differentiation using Gardner’s Multiple Intelligences:**Visual diagram of Federalist arguments – visual spatialT-chart – visual spatial |
| Lesson 5 | 1. Religion and the Constitution
2. What did the founding fathers believe the role of religion in government should be?

CE.C&G.1.5 Evaluate the fundamental principles of American politics in terms of the extent to which they have been used effectively to maintain constitutional democracy in the United States. | * Read the religion clauses of the First Amendment and independently respond to the following question?- What do you think these clauses mean? Why do you think the founding fathers included these clauses in the Bill of Rights?
* Students read excerpt from *Nature’s God and the Founding Fathers* by E.M. Halliday and individually respond to 3 questions
* Class discussion on religion and the founding fathers
* In small groups, students will look at a religious scenario that has been brought before the Supreme Court (Westboro Case, Morse v. Frederick, Prayer in School, Ten Commandments in Courtroom, etc.…) The scenario should be a short summary about the facts, not the full Supreme Court brief. After reading the scenario, the students will respond to the following questions: How do you think the founding fathers would have responded to this situation? How do the members of your group feel the government should respond to this situation?

Each group will share their scenario and their responses with the class. They will also lead the class in a discussion on this topic. | Responses to religious scenario |
| **Lesson five vocabulary**Clause, brief, opinion (majority, concurring, dissenting) | **Lesson five language functions**Analyze, describe, interpret, examine, justify |
| **Planned differentiation using Gardner’s Multiple Intelligences:****Halliday reading – existential** **Small group discussions – interpersonal** |
| **Lesson 6** | 1. The Constitution as a Living Document
2. What features of the Constitution have allowed it to survive for over 200 years?
3. CE.C&G.1.4 Analyze the principles and ideals underlying American democracy in terms of how they promote freedom.

CE.C&G.1.5 Evaluate the fundamental principles of American politics in terms of the extent to which they have been used effectively to maintain constitutional democracy in the United States  | * Begin by asking: Why do you think the Constitution has lasted so much longer than the Articles? Make a list on the board of student responses.
* Pulling from the student list where possible, teach the 8 features of the Constitution that have allowed for its flexibility over time (Separation of Powers, Checks and Balances, Elastic Clause, Reserved Powers, Flexible Amending Process, Guarantee of rights to citizens through limited government and Bill of Rights, Precedents and traditions creating an unwritten Constitution, Judicial Review)
* Have students rank the 8 features from most important to least important in allowing for flexibility over time. Students will have to defend their ranking to the class and give a modern day example of the feature that they ranked most important.
* Students respond to the question: Were the weaknesses in the Articles of Confederation effectively corrected in the Constitution? How? Use specific examples from our studies in this unit.
 | **Student ranking and justification of the ranking of the 8 features****Student response to the question:** Were the weaknesses in the Articles of Confederation effectively corrected in the Constitution? How? Use specific examples from our studies in this unit. |
| **Lesson six vocabulary**Separation of Powers, Checks and Balances, Elastic Clause, Reserved Powers, Flexible Amending Process, Guarantee of rights to citizens through limited government and Bill of Rights, Precedents, unwritten Constitution, Judicial review | **Lesson six language functions**Analyze, evaluate, defend, |
| **Planned differentiation using Gardner’s Multiple Intelligences:**Student self-ranking of 8 features- intrapersonal |
| **Brainstorm Learner Needs** |
| **Possible Barriers** | **Possible Solutions** |
| **Gifted Students Needing Greater Support or Challenge** | These students, while not identified, are gifted and often need more support and more challenging assignments than the other students. In order to allow these students to think more critically and analytically, I required that the class write a paper to correspond with the debate that was held in class. Hence, the students that enjoy the challenges associated with learning were given the opportunity to conduct more research and to provide a more in-depth analysis of their research question. |
| **Underperforming Students** | This student has difficulty with relating concepts in history to one another. During this lesson, the students were required to create and defend an argument concerning whether the British or the Colonists were responsible for the Boston Massacre. To accommodate this student, I had each of the students in the class create an outline, highlighting the main points of their argument before they began the debate. This would allow the student to take some time and organize these ideas in a cohesive manner before engaging in a fast paced debate with his peers. |
| **Students with Challenging Vision** | During this lesson, I enlarge and bolded the font on their handouts and PowerPoint slides, and also turned the lights down during the lecture so that the words on the screen were easily read. |

Appendix A: Content Outline

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| Unit Topic: Constitutional Foundations and UnderpinningsI. Factors that Led to Creation of Articles of Confederation and US ConstitutionA. Roots of Fight for Independence1. Salutary Neglect- Colonies were used to governing themselves
2. Due to threats from Native Americans and the French in the West, Britain gradually began to exercise more control over the colonies (including the taxation policies of the 1760s-1770s)- This leads to the “Original Dilemma”

a. The Original Dilemma- Freedom vs. Order i. How much freedom should be sacrificed for order?ii. Revolutionaries and Founding Fathers had to first address  this questioniii. Constitution strikes a careful balance between the twob. The Modern Dilemma- Freedom vs. Equalityi. How much freedom should be sacrificed for equality?ii. Constitution fails to address this dilemmaiii. Bill of Rights?B. The Colonial Mind during the Revolution1. British politicians were corrupt2. The English Constitution was inadequate3. Higher natural laws of life, liberty, and property4. A war of ideology, not economicsC. The “Real” Revolution- the radical change in belief about what made authority  legitimate and liberties secure1. Government by consent, not by prerogative2. Direct grant of power: written constitution3. Human liberty before government4. Legislature superior to executive branchII. Articles of Confederation1. What was it?

1. Voluntary association of independent states with loose restraints on  freedom2. Based on a fear of a powerful central government3. 4 parts (Unicameral Congress, Committee of States, Officers, The States)B. Powers of Congress Under the Articles1. Declare war and make peace
2. Enter into treaties and alliances
3. Establish and control armed forces
4. Regulate currency
5. Borrow money
6. Serve as a judge between states upon petition

C. Weaknesses of the Articles1. National government couldn’t Tax, Raise an Army, Regulate Interstate Commerce
2. No strong executive branch
3. No effective national courts
4. Amendments required unanimous vote by states

III. Shay’s Rebellion1. Economic depression began in 1784
2. Farmers were in debt and losing land
3. Daniel Shay led a rebellion of farmers in Western Massachusetts
4. This proved that the Federal Government could not “promote the general welfare” and led to calls for CHANGE (meeting scheduled for May of 1787)

IV. The Constitutional ConventionA. What was it?1. Originally scheduled for Annapolis, MD, but only 5 states show2. Rescheduled for Philadelphia in summer of 17873. 12 of 13 states show (not RI)4. Original purpose is to revise the Articles, but this changes…B. The Virginia Plan1. Favored by Large States2. Characteristicsa. Created Strong National Governmentb. Divided government into 3 branchesc. Bicameral legislature both houses based on populationd. One-person executive, selected by legislature for one termC. The New Jersey Plan1. Favored by Smaller States 2. Characteristicsa. Wanted to Revise the Articles, not replacing themb. Single Chamber Legislature with more powersc. Equal representation in the legislatured. Multi-person Executive branch elected by legislatureD. The Great Compromise (Connecticut)1. Bicameral Legislature
2. House of Reps. based on population
3. Senate with equal representation
4. One person executive
5. Electoral College choses Executive
6. Electors chosen to select the President and VP
7. Each state would have as many electors as they did Senators and Representatives
8. Each elector would get two votes (majority=President, first runner up= VP)
9. If no winner, then House would choose with each state getting one vote

E. Other Presidential Issues1. Agreed to four-year term
2. Agreed that Presidents could run for reelection
3. Set up Impeachment Process to include House, Senate, and Chief Justice

F. End Results of Convention1. 23 resolutions condensed into a Preamble and 7 Articles
2. Constitution based on 4 basic principles:

a. Republicanism (Aristotle)b. Federalism (Founding Fathers)c. Separation of Powers (Montesquieu)d. Checks and Balances (Bolingbroke & Blackstone – 2 English  Statesmen)V. Features of the Constitution that Have Allowed it to Last for Over 200 YearsA. **Separation of Powers**- three distinct branches were created with specific  **enumerated powers**1. Powers of Congress- Congress cana. collect taxes and pay debts b. provide for the common defense c. borrow money d. regulate interstate commerce e. coin moneyf. make laws against counterfeiting g. establish Post Offices h. make copyright laws i. establish inferior courts j. define and punish piracy k. declare war l. create National Guardm. Congress also has assumed powers not specifically listed in the  Constitution through the **Elastic or Necessary and Proper**  **Clause- Implied Powers** \*\*\*2. Powers of Executivea. act as commander in chief b. obtain information from executive departments c. grant pardons d. make treaties with Senatorial consent e. appoint ambassadors, justices, and other government officials with  consent of the Senate f. sign and veto legislation g. give State of the Union Address h. Call special session of Congress 3. Powers of Judiciala. hear any cases of “law and equity arising under the Constitution” b. judicial review as defined through *Marbury v. Madison* c. original jurisdiction in certain cases d. hear cases on appealB. **Checks and Balances** 1. President on Congress – veto legislation 2. President on Judicial- appoint judges and justices 3. Congress on President – impeachment, approval of appointments,  approval of Treaties, override veto4. Congress on Judicial- amend Constitution, approval of appointments5. Judicial on President- rules on Constitutionality of executive orders, serve  for life so not subject after appointment to fluctuation of power6. Judicial on Congress- serve for life, judicial reviewC. **Reserved Powers for States (10th Amendment)** – If Federal government is  not told to do it and State’s aren’t told they can’t do it, then the states or the  people do itD. Flexibility through the **Amendment Process (Article V)** – ways to change  the Constitution 1. Formala. Proposal – 2/3 vote in House and Senate OR Convention at request  of 2/3 of states b. Ratification- Vote of legislatures of 3/4 of states OR vote of State Convention in ¾ of states 2. Informal a. Judicial Review b. Political PracticeE. Protection of Citizens through **Limited Government** 1. Reserved Powers 2. System of Checks and Balances 3. Congress cannot pass a. Ex post facto laws b. Bill of attainder c. Suspensions of writ of habeas corpus 4. Bill of Right a. Protects rights to speech, press, assembly, petition, religion, bear  arms, appear before accusers, trial by jury, speedy and public trialb. Protection against quartering of troops, self-incrimination, cruel  and unusual punishment, unwarranted search and seizureVI. Debate Over Ratification of ConstitutionA. Federalists1. Characteristicsa. Ideas spelled out in the *Federalist Papers*b. Written by Hamilton, Jay, and Madisonc. Used the pen name Publiusd. Great support for them in the press2. Argumentsa. A Confederacy is not adequateb. Constitution provides good balance between federal and state  governmentsc. Saw large, diverse polity as solution to “tyranny of the majority”d. Constitution conformed to Republican principlese. Favored a large republic with numerous competing interests, or  factions, to protect against tyranny of the majorityB. Anti-Federalists 1. Characteristicsa. Patrick Henry, Samuel Adams, George Masonb. Wrote under pseudonyms of Brutus, Cato, An Old Whig, and The  Federal Farmerc. Wanted More State’s Rights 2. Arguments1. Constitution would destroy states
2. Constitution would lead to a monarchy
3. Republic could only exist in a small territory
4. Advocated confederacy
5. The lack of a Bill of Rights would leave citizens unprotected (Federalists originally said it was not necessary, but eventually agreed to add one after ratification)

C. Ratification is complete after 9 of 13 states voted to ratify |

Appendix B: Academic language (vocabulary and language functions)

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| Key learning segment vocabulary:Original dilemma, Modern dilemma, salutary neglect, Confederation, insurrection, treaty, commerce, interstate, Delegate; apportionment; compromise; bicameral; electoral; reserved powers; limited government; separation of powers; checks and balances, federalism, tyranny, ratification, Clause, brief, opinion (majority, concurring, dissenting), Separation of Powers, Checks and Balances, Elastic Clause, Reserved Powers, Flexible Amending Process, Guarantee of rights to citizens through limited government and Bill of Rights, Precedents, unwritten Constitution, Judicial reviewLearning segment language functions:Analyze, compare/contrast, construct, describe, evaluate, examine, identify, interpret, justify, locate |