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History, Tradition, and Democratic Theory in American State Constitutions

AP American Government and Politics lesson plan

LESSON 1: Introduction to state constitutions

Content

- Chapter 1 of *Understanding State Constitutions* by G. Alan Tarr (Princeton, 1998)

Purpose

- To help students understand the function of state constitutions in the U.S. federal system
- Satisfies Arkansas Department of Education Social Studies Frameworks:
 1. Strand 1, content standard 2
Time, continuity, and change: Students will demonstrate an understanding of how ideas, events, and conditions bring about change;
 2. Strand 2, content standard 1
People, places, and environments: Students will demonstrate an understanding that people, cultures, and systems are connected and that commonalities and diversities exist among them;
 3. Strand 5, content standard 1
Social Science process and skills—Students will demonstrate critical thinking skills through research, reading, writing, speaking, listening, and problem-solving;

Objectives

- Distinguish between the U.S. Constitution and state constitutions;
- Understand why the U.S. Constitution is fairly short and general, while state constitutions are comparatively long and detailed;
- Understand the relationship between the U.S. Constitution and state constitutions, including the concept of *federal supremacy* and the idea that state constitutions “complete” the U.S. Constitution;
- Identify structural elements of a typical state constitution: *rights guarantees, establishment of governmental institutions, and distribution of power (separation of powers among branches of state government and between state and local government), and specific policy provisions*
- Identify methods of revising, amending, or replacing state constitutions (*constitutional convention, constitutional commission, initiative, referendum*);

Activity

- After a brief introductory lecture on the history/background of state constitutions, students will read chapter 1 of *Understanding State Constitutions*, followed by teacher-led class discussion covering the above objectives.

Evaluation (in any combination)

- Teacher-made quiz covering the main ideas in the assigned reading;
 - Student essay summarizing and critiquing the reading selection;
 - Oral questioning of students to check for understanding and critical thinking;
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LESSON 2: Constitution puzzle (based on an activity presented by Arlene Gardner, New Jersey Center for Civic and Law-Related Education)

Content

- U.S. Constitution
- Arkansas Constitution
- Massachusetts Constitution of 1780

Purpose

- To demonstrate historical influences on constitutions of various time periods, and to demonstrate the nature of powers given to federal and state governments;
- Satisfies Arkansas Department of Education Social Studies Frameworks:
 1. **Strand 1, content standard 1**
Time, continuity, and change—Students will demonstrate an understanding of the chronology and concepts of history and identify and explain historical relationships;
 2. **Strand 2, content standard 1**
People, places, and environments—Students will demonstrate an understanding that people, cultures, and systems are connected and that commonalities and diversities exist among them;
 3. **Strand 4, content standard 1**
Power, authority, and governance—Students will demonstrate an understanding of the ideals, rights, and responsibilities of participating in a democratic society;
 4. **Strand 5, content standard 1**
Social Science processes and skills—Students will demonstrate critical thinking skills through research, reading, writing, speaking, listening, and problem-solving;
 5. **Strand 5, content standard 2**
Social science processes and skills—Students will demonstrate the ability to use the tools of the social sciences;

Objectives

- Demonstrate collective brainstorming and critical thinking;
- Understand similarities and differences between the U.S. Constitution, the Arkansas Constitution, and a typical eighteenth-century state constitution in terms of *rights*;
- Understand the nature of powers given to federal and state governments (*federalism*);

Activity

- Divide students into groups of 3-5 students;
- Give each group an envelope with mixed provisions from the U.S., Arkansas, and 1780 Massachusetts Constitutions (see suggestions below);
- Instruct each group to fit the pieces into the following categories, based on what their instincts and prior knowledge suggest:
 1. “U.S. Constitution”
 2. “Arkansas Constitution”
 3. “1780 Massachusetts Constitution”
- After 15-20 minutes, ask group members for reasons why they felt specific provisions were contained in certain constitutions;
- Finally, reveal from which constitution each provision is actually taken, and lead the class in a discussion as to the significance of various provisions; help students to understand why these provisions are found in constitutions from specific time periods and regions;

Assessment

- Teacher observation of individual student contributions within groups’
- Oral questioning of students to check for understanding and critical thinking;

**Suggestions of specific clauses to include from these three constitutions:

- U.S. Constitution
 1. Article I, Section 9
 2. Amendment I
 3. Amendment II
 4. Amendment IV
 5. Amendment V
 6. Amendment VI
 7. Amendment VIII
- Arkansas Constitution
 1. Article 2, Section 2
 2. Article 2, Section 7
 3. Article 2, Section 8
 4. Article 2, Section 15
 5. Article 2, Section 24
 6. Article 2, Section 26

7. Article 19, Section 1
 - **1780 Massachusetts Constitution**
 1. Article I of the Declaration of Rights
 2. Article II of the Declaration of Rights
 3. Article VII of the Declaration of Rights
 4. Article X of the Declaration of Rights
 5. Article XII of the Declaration of Rights
 6. Article XIV of the Declaration of Rights
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LESSON 3: Structure and function of state governments, demonstrated by the Arkansas state constitution

Content

- U.S. Constitution
- Arkansas Constitution

Purpose

- To compare specific provisions in the Arkansas Constitution to the U.S. Constitution and to evaluate similarities and differences between them;
- Satisfies Arkansas Department of Education Social Studies Frameworks:
 1. **Strand 1, content standard 2**

Time, continuity, and change—Students will demonstrate an understanding of how ideas, events, and conditions bring about change;
 2. **Strand 2, content standard 1**

People, places, and environments—Students will demonstrate an understanding that people, cultures, and systems are connected and that commonalities and diversities exist among them;
 3. **Strand 4, content standard 1**

Power, authority, and governance—Students will demonstrate an understanding of the ideals, rights, and responsibilities of participating in a democratic society;
 4. **Strand 4, content standard 2**

Power, authority, and governance—Students will demonstrate an understanding of the commonalities and differences of various systems of government;
 5. **Strand 5, content standard 1**

Social Science processes and skills—Students will demonstrate critical thinking skills through research, reading, writing, speaking, listening, and problem-solving;

Objectives

- **Become familiar with the structure and organization of the Arkansas Constitution;**
- **Classify, analyze, and evaluate similarities and differences between the U.S. and Arkansas constitutions;**

Activity

- **Place students in 8 groups:**
 1. **U.S. Bill of Rights**
 2. **Arkansas Bill of Rights**
 3. **U.S. legislative branch**
 4. **Arkansas legislative branch**
 5. **U.S. executive branch**
 6. **Arkansas executive branch**
 7. **U.S. amendments**
 8. **Arkansas amendments**
- **Instruct groups 1 & 2 to list all rights contained in their respective bills of rights, then to join together to compare;**
- **Instruct groups 3 & 4 to list qualifications, term limits, and significant powers of their respective legislatures, then to join together to compare;**
- **Instruct groups 5 & 6 to identify their respective chief executives and to list the qualifications, term limits, and significant powers or responsibilities of the office, then to join together to compare;**
- **Instruct groups 7 & 8 to identify how many amendments have been made to their respective constitutions and to describe the subject matter of each, then to join together to compare;**
- **Each pair of groups will describe to the class what they have learned as to which constitution more stringently limits government power, and which appears to more extensively protect the rights of citizens;**
- **Finally, lead the entire class in a discussion to evaluate its findings and/or assign topics for further research (for instance, assign students to research state and federal court cases regarding the interpretation of various provisions identified by the 8 groups;**

Evaluation

- **Grade lists submitted by each group for accuracy and thoroughness;**
 - **Assign a participation grade based on your observation of each individual's contribution to the group;**
 - **Evaluate oral arguments for each group based on effort and understanding;**
 - **Assign grades for mini-papers or class presentations based on topics for further research;**
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LESSON 4: Constitutional convention/commission

Content

- Arkansas Constitution
- Student-created amendments

Purpose

- To acquaint students with the processes/difficulties of constitution-making and revision;
- Satisfies Arkansas Department of Education Social Studies Frameworks:
 1. Strand 1, content standard 1
Time, continuity, and change—Students will demonstrate an understanding of the chronology and concepts of history and identify and explain historical relationships;
 2. Strand 2, content standard 1
People, places, and environments—Students will demonstrate an understanding that people, cultures, and systems are connected and that commonalities and diversities exist among them;
 3. Strand 4, content standard 1
Power, authority, and governance—Students will demonstrate an understanding of the ideals, rights, and responsibilities of participating in a democratic society;
 4. Strand 4, content standard 2
Power, authority, and governance—Students will demonstrate an understanding of the commonalities and differences of various systems of government;
 5. Strand 5, content standard 1
Social Science processes and skills—Students will demonstrate critical thinking skills through research, reading, writing, speaking, listening, and problem-solving;
 6. Strand 5, content standard 2
Social science processes and skills—Students will demonstrate the ability to use the tools of social sciences;

Objectives

- Appreciate the complexities involved in constitution-making/revision;
- Produce a constitutional amendment by simulating the actual process, emphasizing the elements of *diversity of interests* and *compromise*;
- To work closely with a diverse group and, through compromise, produce a mutually acceptable document;

Activity

- Assign each student to represent a different district in Arkansas at a session of the state legislature in which constitutional amendments are being proposed;
- For homework one or two days before the class activity, instruct each student to write a constitutional amendment based on the interests or desires of the particular constituency he/she represents;

- Have students present their proposed amendments to the class, followed by brief discussion of the merits and ramifications of each;
- Have the class vote on the 5 most worthy proposals, then form the class into 5 groups, assigning one of the proposals to each group;
- Instruct each group to write an official draft of its proposed amendment, following the style of existing amendments;
- Allow each group to argue on behalf of its proposed amendment before the class, then allow individual students to debate with the group as to how its proposal should be altered or improved;
- After each group has presented and defended its proposal, have the class vote again on each proposed amendment, following the guidelines for proposing amendments enumerated in Article 19, Section 22 of the Arkansas Constitution;
- Finally, have students mail copies of the successful amendments to their state representative and/or senator, with a cover letter explaining the importance of each and how each would benefit the state;
- Invite the official(s) to discuss the proposed amendments with students

Assessment

- Teacher has numerous opportunities to assign credit for participation and quality of work, both individually and in group settings;