

Founders' Intent

STAGE 1 – DESIRED RESULTS

Context: Founders' Intent

After winning independence from the British crown, the founders of the United States worked hard to create a government of the people, by the people, and for the people. As the second government of the United States, the *Constitution* became the foundation of our government today. Since the *Constitution's* inception, it has served as a road map for representative democracy and limited government. Why was the *Constitution* the second government? What were the founders' intentions in framing a government, and to what extent should we be faithful to these intentions? How does the *Constitution* impact us today?

Purpose: Founders' Intent

In this cycle, students are introduced to role-playing and to the system of limited government and divided powers that the *Constitution* creates. Students become delegates to the Constitutional Convention. In these roles, they engage in three debates on controversial constitutional issues: First, and quickly (it is a review cycle since most students take U.S. History the previous year), they decide whether to approve the *Constitution*. As Federalists and Anti-Federalists, students role-play arguments over key constitutional issues such as the division of power between the national government and state governments and representation. Second, still in the same roles but now in Structured Academic Controversy (SAC) teams, students deliberate a federalism controversy from the past (e.g., the argument over the national bank). Third, again in SAC teams, they deliberate a contemporary federalism controversy (e.g., the argument over immigration). This last task revisits federalism in a modern light and introduces the role of political parties as well as their focus: winning elections.

Driving Questions

How do founding documents describe how our government should work?
To what extent should we be faithful to the founders' intentions?

Alignment: 2018–19 College Board Redesigned Curriculum

Unit

Unit 1: Foundations of American Democracy

Big Ideas

Primary: Big Idea – Constitutionalism
Secondary: Big Ideas – Liberty and Order; Policy-Making Interests

Enduring Understandings and Learning Objectives

- ✓ LOR-1.: A balance between governmental power and individual rights has been a hallmark of American political development.
 - LOR-1.A: Explain how democratic ideals are reflected in the *Declaration* and the *U.S. Constitution*.
 - LOR-1.B: Explain how models of representative democracy are visible in major institutions, policies, events, or debates in the U.S.
- ✓ CON-1.: The *Constitution* emerged from the debate about the weaknesses of the *Articles of Confederation* as a blueprint for a limited government.
 - CON-1.A: Explain how Federalist and Anti-Federalist views on central government and democracy as reflected in U.S. foundational documents.
 - CON-1.B: Explain the relationship between key provisions of the *Articles of Confederation* and the debate over granting the federal government greater power formerly reserved to the states.
 - CON-1.C: Explain the ongoing impact of political negotiation and compromise at the Constitutional Convention on the development of the constitutional system.
- ✓ PMI-1: The *Constitution* creates a complex and competitive policy-making process to ensure the people's will is accurately represented and that freedom is preserved.
 - PMI-1.A: Describe the constitutional principles of separation of powers and "checks and balances."
 - PMI-1.B: Explain the implications of separation of powers and "checks and balances" for the U.S. political system.
- ✓ CON-2: Federalism reflects that dynamic distribution of power between national and state governments.
 - CON-2.A: Explain how societal needs affect the constitutional allocation of power between the national and state governments. (cont.)



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- CON-2.B: Explain how the appropriate balance of power between national and state governments has been interpreted differently over time.
- CON-2.C: Explain how the distribution of powers among three branches and between national and state governments impact policy-making.

Students will know/Learning Targets (Content):	Students will be able to/Learning Targets (Skills):
<ol style="list-style-type: none"> 1. The functional roles of government. 2. The major weaknesses of the <i>Articles of Confederation</i> and the debate surrounding establishing a strong versus weak central government. 3. The similarities between the <i>Declaration of Independence</i> and Locke's <i>Second Treatise</i>. 4. The differences between Federalists and Anti-Federalists. 5. The basic structure and principles of the <i>U.S. Constitution</i>. 6. The concepts of federalism, separation of powers, and system of checks and balances. 7. The debates over the limits of government by applying knowledge of the <i>U.S. Constitution</i> to both historical and current issues. 8. The benefits and constraints for states under federalism. 	<ol style="list-style-type: none"> 1. Use a variety of texts to support learning, including foundational texts such as the <i>Federalist Papers</i> and the <i>U.S. Constitution</i>. 2. Use documents as evidence to form an argument about both historical and current issues. 3. Learn the structures of a SAC and understand how to deliberate a controversial issue using the SAC model. 4. Analyze the information for a position and pull out arguments from complex texts.

College Board Disciplinary Practices

Practice 4: Read, analyze, and interpret foundational documents and other text-based and visual sources.

- 4.a. Describe the author's claim(s), perspective, evidence, and reasoning.
- 4.b. Explain how the author's argument or perspective relates to political principles, institutions, processes, policies, and behaviors.
- 4.c. Explain how the implications of the author's argument or perspective may affect political principles, institutions, processes, policies, and behaviors.
- 4.d. Explain how the visual elements of a cartoon, map, or infographic illustrate or relate to political principles, institutions, processes, policies, and behaviors.

Practice 5: Develop an argument in essay format.

- 5.a. Articulate a defensible claim/thesis.
- 5.b. Support the argument using relevant evidence.
- 5.c. Use reasoning to organize and analyze evidence, explaining its significance to justify the claim or thesis.
- 5.d. Use refutation, concession, or rebuttal in responding to opposing or alternate perspectives.



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STAGE 2 – ASSESSMENT EVIDENCE

Culminating Challenge

In this task, students (delegates) retain their historical roles but travel in a “time machine” to to the modern day. Students practice the same skills they learned in previous tasks, using the content, literacy skills, and role-playing skills that they will need for the rest of the course. This task introduces the delegates to contemporary issues of federalism (e.g., gay marriage, legalization of marijuana, and immigration). Students deliberate on issues of federalism from the perspective of their historical roles. Students should make connections between the original intentions of the Constitution and the impact of those intentions on modern-day issues (Task 3).

Formative Assessments

- Learning Logs
- Reading and Vocabulary Quizzes
- Practice Free Response Questions
- Checks for Understanding (exit tickets, interactive notes, use of student response systems, etc.)
- Task 1: Students produce an editorial in support or opposition of the newly written *U.S. Constitution*
- Task 2: Historical debate

Summative Assessments

- Authentic Assessment: Contemporary constitutional issue debate/podcast
- Unit Exam consisting of 25 multiple-choice questions, one free response question (College Board AP Exam question), and a simulated SAC



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STAGE 3 – LEARNING PLAN

This first unit introduces students to role-playing, a PBL practice or strategy that will recur frequently in the course. Students also have an initial opportunity to grapple with the course master question on the proper role of government and to understand how the Founders would have answered this question. Additionally, students gain a sense of some of the enduring questions and controversies surrounding government and politics since students shift quickly between historic and modern controversies concerning the scope of power of the federal government.

The cycle begins with students learning about the roles that they have been assigned. In this introduction, students research their roles to understand the delegates and their perspectives on the ratification of the Constitution. The objective is to give students context on the Constitutional Convention of 1787 so that they may better understand the purpose and impetus behind the drafting of the Constitution. Students accomplish this through close, scaffolded readings of core texts (i.e., the *Declaration of Independence*) and historical research. This task also helps students understand role-playing. Once students understand the context behind the Constitutional Convention of 1787, they move onto their first task.

Task 1: Ratification Debate

Task 1 requires students (as delegates) to understand the intentions of the Founders. This task asks students to write an editorial in a newspaper supporting or opposing the newly written Constitution. By drawing upon core texts (i.e., the *Federalist Papers* and the *Constitution*) and textbook information, students decide whether they (as delegates) will support the ratification of the second government of the United States. This task gives students the opportunity to read texts carefully and take a position on a controversial issue.

Task 2: Historic Application- SAC “National Bank” Debate

Task 2 (optional) requires students to understand controversial issues faced by the founding fathers. This task begins with a SAC of a historical issue debated between Federalist and Anti-Federalists. By drawing upon their historical roles, core texts (i.e., the *Federalist Papers* and the *Constitution*), and textbook information, students deliberate on the pros and cons of different historical issues (typically the establishment of a national bank). Through participating in the SAC, students learn about the details of the *Constitution* and begin understanding the structures and functions of the government, as laid out by the *Constitution*. This task gives students the opportunity to practice argumentation, listening, literacy, and groupwork skills, which will be reiterated throughout the rest of the course.

Task 3: Modern Application- SAC “Current Events” Debate

In Task 3, students are again in SAC teams, and they deliberate a contemporary federalism controversy (e.g., the debate over immigration, legalization of marijuana, health care, gun rights). This last task revisits federalism in a modern light and introduces the role of political parties as well as their focus: winning elections. Looping: students loop conceptually through federalism and textually through the *Constitution*.

Alignment: 2018–19 College Board Redesigned Curriculum Framework

Founders’ Intent Foundational Texts

- Federalist No. 10
- Brutus No. 1
- Federalist No. 51
- Federalist No. 70
- Federalist No. 78
- Declaration of Independence
- Articles of Confederation
- Constitution of the United States
- Bill of Rights

-**Brutus No. 1** and **Federalist No. 51** (among other key Federalist papers) can serve as models for the public

Founders’ Intent Supreme Court Cases

- *McCulloch v. Maryland (1819)*
- *United States v. Lopez (1995)*

McCullough vs. Maryland and ***US vs. Lopez*** can be used as supporting materials in the federalism Structured Academic Controversies. Particularly, gun control is a classic choice for a modern issue focus for the second SAC, which is the focus of ***US v. Lopez***.



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letters that students will write in the role of historic delegates to the Constitutional Convention.

-The **Declaration of Independence** and the **Articles of Confederation** can also be used as evidence in students' public letter and in the ratification debate.

-The *National Constitution Center* has published lessons to help students wrestle with these foundational texts which teachers can incorporate into this project cycle, most specifically having students use the interactive **Constitution** tool (including **Bill of Rights**)



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