Constitutional Convention Part 2
“Who Really Won?”
Grade: 8, adaptable for all grades

Overview
Adopted from: "Whose 'More Perfect Union'?” Role Play from Zinn Education Project

Having convention experience, students should now be ready to examine the U.S. Constitution, keeping in mind the social perspective. This lesson provides questions to get students to think critically about their experiences as well as the Constitution.

Oregon Common Core State Standards

Language Arts Standards: See below for a full list of applicable standards.

• CCSS.ELA.RH.6-8.1 Cite specific textual evidence to support analysis of primary and secondary sources.
• CCSS.ELA.RH.6-8.3 Identify key steps in a text's description of a process related to history/social studies (e.g., how a bill becomes law, how interest rates are raised or lowered).
• CCSS.ELA.RH.6-8.4 Determine the meaning of words and phrases as they are used in a text, including vocabulary specific to domains related to history/social studies.
• CCSS.ELA.RH.6-8.5 Describe how a text presents information (e.g., sequentially, comparatively, causally).

Social Studies Standards: See below for a full list of applicable standards.

• Historical Knowledge 8.2. Evaluate continuity and change over the course of United States history, by analyzing key people and constitutional convention, age of Jefferson, industrial revolution, westward expansion, Civil War.
• Historical Thinking 8.6. Use and interpret documents and other relevant primary and secondary sources pertaining to U.S. History from multiple perspectives.
• Historical Thinking 8.7. Analyze evidence from multiple sources including those with conflicting accounts about specific events in U.S. History.
• Historical Thinking 8.8. Evaluate information from a variety of sources and perspectives.
• Historical Thinking 8.9. Construct or evaluate a written historical argument demonstrating an understanding of primary and secondary sources.

Materials

• Copy of the U.S. Constitution, one for each student
• “Who Really Won?” activity sheet
• Access to the Internet (optional)
• Copies of the Virginia Plan (optional)
Key Vocabulary

- Articles of Confederation: Oregonian (1915)
- Compromise: Oregon Spectator (1846)
- Constitutional Convention: West Shore (1888)
- Democracy: Rogue River Courier (1918)
- Electoral College: Oregonian (1912)
- Federal / Federalist: Oregonian (1920)/ Oregonian (1911)
- James Madison: Oregonian (1907)
- Ratify: Oregonian (1922)
- Shays’ Rebellion: Oregonian (1902)
- Sovereignty: Oregon Sentinel (1858)
- U.S. Constitution: Oregonian (1922)

Lesson

- **Provide background knowledge**: Provide students with background information about the convention.
  - Founding Fathers: Allow students time to explore the delegates who attended the convention. Their biographies are available on the National Archives website and are organized by state. You may wish to discuss who the Founding Fathers were.
  - Virginia Plan: Read the Virginia Plan, the first draft of the Constitution. The convention initially gathered to amend the Articles of Confederation. However, while Virginia’s delegates were waiting for other states to arrive, James Madison (a delegate from Virginia) created the Virginia Plan, which included elements about separation of powers in government in addition to revisions for the Articles of Confederation.

- **Introduction**: Students will read the Constitution to analyze. They will use the “Who Really Won?” activity sheet to interpret the Constitution and understand its weight on a specific issue.

- **Hand out questions**: Hand out the “Who Really Won?” activity sheet for students to read.
  - You may assign students the handout as homework as a way to prepare thoughts and answers for an in-depth, in-class discussion, or to just brainstorm and reflect on the Constitution prior to in-class group or individual work.

- **Hand out the Constitution**: Hand out a copy of the U.S. Constitution to each student.
  - As a class, become familiar with how the Constitution is organized.
  - You may wish to read the Constitution together as a class.

- **Discussion or debrief**: Depending on which procedure you chose (either assigning the activity sheet as homework or as an in-class assignment), bring students together to debrief on the activity.

- Some discussion or debrief questions to consider:
  - What did you find out that was the most interesting to you?
  - Do you agree with the Constitution? Do you disagree? Why?
o We are presented with the idea that the Constitution did not represent the majority. So how and why was it approved?

o From the key vocabulary from the Part 1 lesson plan, how did we define democracy? How does the Constitution represent democracy? How does it not?

o In what ways does the Constitution empower “the people?” In what ways does it disempower them?

**Extension Activity Ideas**

- **Federalist Papers:** Further investigation into the Constitution and its deeper meanings. Students will read about James Madison, “Father of the Constitution” and his ideologies, and delve deeper into the social conflict and its relationship with government.
  
  o A lesson plan called “Constitutional Convention Part 3” has been created for this extension activity idea.

- **Debate:** Use the handout “Who Really Won?” to debate each question. Remind students to stay in character to argue their points. Take a vote at the end of each debate to see who has been persuaded onto the other side. Allow students to make rebuttals, objections, opening and closing statements, and ask questions.
**Who Really Won?**

Compare the U.S. Constitution to the class constitution. For each question, write what the Constitutional Convention decided and what the class constitutional convention decided. Write which article, section, and clause helped you.

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<th>A, S, C</th>
<th>U.S. Constitution</th>
<th>Class Constitutional Convention</th>
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<tr>
<td>1. <strong>Should slavery be legal in any state of the United States?</strong></td>
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<td>2. <strong>Should the slave trade be allowed to continue?</strong></td>
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<td>4. Will it be legal for state legislatures to pass laws allowing debts to be paid “in kind”?</td>
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<td>5. Should bonds issued during the Revolutionary War be paid back?</td>
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<td>6. Who should be allowed to vote in general elections?</td>
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<td>Article</td>
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<td>7. In your opinion, which social group or groups won the Constitutional Convention? Explain.</td>
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# Who Really Won? Answers and thoughts

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## 1. Should slavery be legal in any of the United States?

**Article I**  
Section 9  
Clause 1  

The Constitution doesn’t say the words “slave,” “enslaved,” or “race.” Instead, it refers to “such person as any of the states now existing shall think proper to admit,” and “a person held to service or labor.” Thus, it does not say “slavery is legal,” but giving allowance to carry on the slave trade would certainly imply it. Furthermore, using such metaphors allows clauses like this one to include all slaves not called slaves as in “white” indentured servants, without the need of a second clause.

## 2. Should the slave trade continue to be allowed?

**Article I**  
(Note 1) Congress can prohibit the slave trade after 1808, but until then, slave importation has up to a $10 per person taxation.

## 3. Should Northerners be forced to give runaway or fugitive slaves to their owners?

**Article IV**  
Section 2  
Clause 3  

No state may pass a law freeing anyone from slavery—or indentured servitude, though it doesn’t use the term. Yet an individual who has fled service or slavery and is captured “shall be delivered upon claim of the party to whom such service or labor may be due.”

## 4. Will it be legal for state legislatures to pass laws allowing debts to be paid “in kind”?

**Article I**  
Section 10  
Clause 1  

No. No state may “make anything but gold and silver coin a tender in payment of debts” or pass any “law impairing the obligation of contracts.” It is important to look at these in their social context.

## 5. Should bonds issued during the Revolutionary War be paid back?

**Article IV**  

Yes. The key point here is that entrepreneurs bought many bonds at 5 to 10 cents per dollar, making a killing from this clause. The poverty-stricken farmer and impoverished veteran, through taxes, would get to pay for the bonds initially owned by them.

## 6. Who should be allowed to vote in general elections?

**Article N/A**  
Section N/A  
Clause N/A  

Other than senators being chosen by legislature and the president being selected by electors, the Constitution leaves voting requirements up to the individual states. At that time, most states reserved voting privileges for white males, who were required to hold a certain amount of property. Women, Native Americans, and blacks—slaves or free—could not vote.

## 7. In your opinion, which social group or groups won the Constitutional Convention? Explain.

Encourage students to answer this question based on their role-play group.
List of applicable Language Arts Standards
Grades 6-8

- CCSS.ELA.SL.8.1 Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grade 8 topics, texts, and issues, building on others' ideas and expressing their own clearly.
- CCSS.ELA.SL.8.3 Delineate a speaker's argument and specific claims, evaluating the soundness of the reasoning and relevance and sufficiency of the evidence and identifying when irrelevant evidence is introduced.
- CCSS.ELA.SL.8.4 Present claims and findings, emphasizing salient points in a focused, coherent manner with relevant evidence, sound valid reasoning, and well-chosen details; use appropriate eye contact, adequate volume, and clear pronunciation.
- CCSS.ELA.SL.8.6 Adapt speech to a variety of contexts and tasks, demonstrating command of formal English when indicated or appropriate. (See grade 8 Language standards 1 and 3 here for specific expectations.)
- CCSS.ELA.WHST.6-8.1 Write arguments focused on discipline-specific content.
- CCSS.ELA.WHST.6-8.2 Write informative/explanatory texts, including the narration of historical events, scientific procedures/experiments, or technical processes.
- CCSS.ELA.WHST.6-8.4 Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.
- CCSS.ELA.WHST.6-8.7 Conduct short research projects to answer a question (including a self-generated question), drawing on several sources and generating additional related, focused questions that allow for multiple avenues of exploration.
- CCSS.ELA.WHST.6-8.8 Gather relevant information from multiple print and digital sources, using search terms effectively; assess the credibility and accuracy of each source; and quote or paraphrase the data and conclusions of others while avoiding plagiarism and following a standard format for citation.
- CCSS.ELA.WHST.6-8.9 Draw evidence from informational texts to support analysis, reflection, and research.
- CCSS.ELA.WHST.6-8.10 Write routinely over extended time frames (time for reflection and revision) and shorter time frames (a single sitting or a day or two) for a range of discipline-specific tasks, purposes, and audiences.

Grade 9-10

- CCSS.ELA.RH.9-10.1 Cite specific textual evidence to support analysis of primary and secondary sources, attending to such features as the date and origin of the information.
- CCSS.ELA.RH.9-10.4 Determine the meaning of words and phrases as they are used in a text, including vocabulary describing political, social, or economic aspects of history/social science.
- CCSS.ELA.RH.9-10.5 Analyze how a text uses structure to emphasize key points or advance an explanation or analysis.
- CCSS.ELA.SL.9-10.1 Initiate and participate effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grades 9-10 topics, texts, and issues, building on others' ideas and expressing their own clearly and persuasively.
- CCSS.ELA.SL.9-10.3 Evaluate a speaker's point of view, reasoning, and use of evidence and rhetoric, identifying any fallacious reasoning or exaggerated or distorted evidence.
- CCSS.ELA.SL.9-10.4 Present information, findings, and supporting evidence clearly, concisely, and logically such that listeners can follow the line of reasoning and the organization, development, substance, and style are appropriate to purpose, audience, and task.
• CCSS.ELA.SL.9-10.6 Adapt speech to a variety of contexts and tasks, demonstrating command of formal English when indicated or appropriate. (See grades 9-10 Language standards 1 and 3 here for specific expectations.)

• CCSS.ELA.WHST.9-10.1 Write arguments focused on discipline-specific content.

• CCSS.ELA.WHST.9-10.2 Write informative/explanatory texts, including the narration of historical events, scientific procedures/experiments, or technical processes.

• CCSS.ELA.WHST.9-10.4 Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.

• CCSS.ELA.WHST.9-10.7 Conduct short as well as more sustained research projects to answer a question (including a self-generated question) or solve a problem; narrow or broaden the inquiry when appropriate; synthesize multiple sources on the subject, demonstrating understanding of the subject under investigation.

• CCSS.ELA.WHST.9-10.8 Gather relevant information from multiple authoritative print and digital sources, using advanced searches effectively; assess the usefulness of each source in answering the research question; integrate information into the text selectively to maintain the flow of ideas, avoiding plagiarism and following a standard format for citation.

• CCSS.ELA.WHST.9-10.9 Draw evidence from informational texts to support analysis, reflection, and research.

• CCSS.ELA.WHST.9-10.10 Write routinely over extended time frames (time for reflection and revision) and shorter time frames (a single sitting or a day or two) for a range of discipline-specific tasks, purposes, and audiences.

Grade 11-12

• CCSS.ELA.RH.11-12.1 Cite specific textual evidence to support analysis of primary and secondary sources, connecting insights gained from specific details to an understanding of the text as a whole.

• CCSS.ELA.RH.11-12.2 Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.

• CCSS.ELA.RH.11-12.4 Determine the meaning of words and phrases as they are used in a text, including analyzing how an author uses and refines the meaning of a key term over the course of a text (e.g., how Madison defines faction in Federalist No. 10).

• CCSS.ELA.RH.11-12.5 Analyze in detail how a complex primary source is structured, including how key sentences, paragraphs, and larger portions of the text contribute to the whole.

• CCSS.ELA.SL.11-12.1 Initiate and participate effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grades 11-12 topics, texts, and issues, building on others’ ideas and expressing their own clearly and persuasively.

• CCSS.ELA.SL.11-12.3 Evaluate a speaker's point of view, reasoning, and use of evidence and rhetoric, assessing the stance, premises, links among ideas, word choice, points of emphasis, and tone used.

• CCSS.ELA.SL.11-12.4 Present information, findings, and supporting evidence, conveying a clear and distinct perspective, such that listeners can follow the line of reasoning, alternative or opposing perspectives are addressed, and the organization, development, substance, and style are appropriate to purpose, audience, and a range of formal and informal tasks.

• CCSS.ELA.SL.11-12.6 Adapt speech to a variety of contexts and tasks, demonstrating a command of formal English when indicated or appropriate. (See grades 11-12 Language standards 1 and 3 here for specific expectations.)

• CCSS.ELA.WHST.11-12.1 Write arguments focused on discipline-specific content.

• CCSS.ELA.WHST.11-12.2 Write informative/explanatory texts, including the narration of historical events, scientific procedures/experiments, or technical processes.
• CCSS.ELA.WHST.11-12.4 Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.
• CCSS.ELA.WHST.11-12.7 Conduct short as well as more sustained research projects to answer a question (including a self-generated question) or solve a problem; narrow or broaden the inquiry when appropriate; synthesize multiple sources on the subject, demonstrating understanding of the subject under investigation.
• CCSS.ELA.WHST.11-12.8 Gather relevant information from multiple authoritative print and digital sources, using advanced searches effectively; assess the strengths and limitations of each source in terms of the specific task, purpose, and audience; integrate information into the text selectively to maintain the flow of ideas, avoiding plagiarism and overreliance on any one source and following a standard format for citation.
• CCSS.ELA.WHST.11-12.9 Draw evidence from informational texts to support analysis, reflection, and research.
• CCSS.ELA.WHST.11-12.10 Write routinely over extended time frames (time for reflection and revision) and shorter time frames (a single sitting or a day or two) for a range of discipline-specific tasks, purposes, and audiences.

Continued list of applicable Social Studies Standards

Grade 8

• Government 8.15. Contrast the impact of the Articles of Confederation as a form of government to the U.S. Constitution.
• Government 8.18. Examine and analyze important United States documents, including (but not limited to) the Constitution, Bill of Rights, 13th-15th Amendments.
• Government 8.21. Analyze important political and ethical values such as freedom, democracy equality, and justice embodied in documents such as the Declaration of Independence, the United States Constitution, and the Bill of Rights.
• Social Science Analysis 8.25. Critique data for point of view, historical context, distortion, or propaganda and relevance.
• Social Science Analysis 8.26. Examine a controversial event, issue, or problem from more than one perspective.

Grades 9-12

• Historical Thinking HS.10. Evaluate an historical source for point of view and historical context.
• Historical Thinking HS.11. Gather and analyze historical information, including contradictory data, from a variety of primary and secondary sources, including sources located on the Internet, to support or reject hypotheses.
• Historical Thinking HS.12. Construct and defend a written historical argument using relevant primary and secondary sources as evidence.
• Government HS.27. Examine functions and process of United States government.
• Government HS.32. Examine and evaluate documents and decisions related to the Constitution and Supreme Court decisions (e.g., Federalist Papers, Constitution, Marbury v. Madison, Bill of Rights, Constitutional amendments, Declaration of Independence).
• Social Science Analysis HS.57. Define, research, and explain an event, issue, problem, or phenomenon and its significance to society.
• Social Science Analysis HS.58. Gather, analyze, use, and document information from various sources, distinguishing facts, opinions, inferences, biases, stereotypes, and persuasive appeals.
• Social Science Analysis HS.60 Analyze an event, issue, problem, or phenomenon from varied or opposing perspectives or points of view.
• Social Science Analysis HS.63 Engage in informed and respectful deliberation and discussion of issues, events, and ideas.