

### 6th Amendment: Can one person change the Constitution?

<b>Time Frame:</b> 2 class periods	<b>Author:</b> Mary Ellen Daneels, Lead Teacher Mentor, McCormick Foundation, MDaneels@illinoiscivics.org
<b>Proven Practices (indicate which practices used)</b> <ul style="list-style-type: none"> <li>✓ Instruction on government institutions</li> <li>✓ Use of current &amp; controversial issues</li> <li>✓ Simulations of democratic processes</li> <li>✓ Service Learning (ideas provided)</li> </ul>	
<b>IL Social Studies Standards</b> SS.IS.1.9-12: Address essential questions that reflect an enduring issue in the field. SS.IS.3.9-12: Develop new supporting and essential questions through investigations, collaboration, and using diverse sources SS.IS.5.9-12: Identify evidence that draws information from multiple sources to revise or strengthen claims. SS.IS.7.9-12: Articulate explanations and arguments to a targeted audience in diverse settings SS.CV.1.9-12: Distinguish the rights, roles and responsibilities of individuals and institutions in the political system. SS.CV.7.9-12: Describe the concepts and principles that are inherent to American Constitutional Democracy. SS.CV.8.9-12: Analyze how individuals use and challenge laws to address a variety of public issues.	<b>CCSS/ELA History/Social Studies Standards</b> <u>CCSS.ELA-LITERACY.RH.11-12.7</u> Integrate and evaluate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, as well as in words) in order to address a question or solve a problem. <u>CCSS.ELA-LITERACY.RH.11-12.2</u> 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. <u>CCSS.ELA-LITERACY.RH.11-12.9</u> Integrate information from diverse sources, both primary and secondary, into a coherent understanding of an idea or event, noting discrepancies among sources.
<b>Essential Question:</b> <ul style="list-style-type: none"> <li>● Can one person change the Constitution?</li> </ul>	
<b>Supporting Questions:</b> <ul style="list-style-type: none"> <li>● What rights are afforded to individuals accused of a crime in the US Constitution?</li> <li>● What is the significance of Gideon vs. Wainwright?</li> <li>● How does a case reach the U.S. Supreme Court?</li> </ul>	
<b>Resources Required w/Citations:</b> <ul style="list-style-type: none"> <li>● Clarence Earl Gideon. <i>Petition to Court</i>. Photograph. From Street Law. Available at <a href="http://landmarkcases.org/en/Page/595/Document_Analysis">http://landmarkcases.org/en/Page/595/Document_Analysis</a></li> <li>● Rothstein, Dan and Santana, Luz. "The Right Questions" <i>Educational Leadership</i>. October 2014.</li> <li>● The Question Formulation Technique. The Right Question Institute. Available at <a href="http://rightquestion.org/">http://rightquestion.org/</a></li> <li>● The Constitution Project by PJ Productions. "Key Constitutional Concepts- One Man Changes the Constitution" hosted by the Annenberg Foundation and Trust at Sunnylands. Available at <a href="http://www.annenbergclassroom.org/page/key-constitutional-concepts">http://www.annenbergclassroom.org/page/key-constitutional-concepts</a></li> </ul>	

**Recommended Procedures:**

1. Ask students the Essential Question of the Lesson, “Can one person change the Constitution?” Have each student write their initial response. Have students record their responses individually, supporting their claim with at least three reasons.
2. Label four corners/areas of the room with the following:
  - a. strong yes
  - b. maybe if...
  - c. it's not likely because....
  - d. strong no
3. Have the students “vote with their feet” to the corner of the room that represents their agreement with the statement. Have students “huddle” in their corner and then share with the class why they stand where they do on the statement. (for more details about the Four Corners activity, see Other Considerations at the end of the lesson.)
4. Display the following quote: *"If an obscure Florida convict named Clarence Earl Gideon had not sat down in his prison cell . . . to write a letter to the Supreme Court . . . the vast machinery of American law would have gone on functioning undisturbed. But Gideon did write that letter, the Court did look into his case . . . and the whole course of American legal history has been changed."* —Robert F. Kennedy
5. Have students vote with their feet where they think Kennedy would vote on this essential question.
6. Have students form small groups of 4 students. Use the Questions Formulation Technique by Santana and Rothstein from the [rightquestion.org](http://rightquestion.org) to have students generate questions they have based on the quote (Q Focus)
7. Have students prioritize their questions based on which would most likely help them understand how Clarence Earl Gideon was one person who changed the Constitution.
8. Have small groups share out their priority questions with rationale to the class. Document on board/ google doc/smart board/ etc.
9. Give small groups the primary document of Gideon’s petition to the court. Have students analyze the document and record which of the class’ priority questions are answered in the document.
10. Have students share responses. Record answers on board/google doc/smart board/etc.
11. Instruct students they will now watch a short video about Clarence Earl Gideon. Students are to watch the film and record the answers to more of the priority questions identified by the class. Note, Gideon is the second of a three part documentary on the site. The Gideon clip begins at 22:54 and ends at 41:43.
12. At end of video, have students reconvene in small groups to share what questions were answered.
13. Have students return to the original essential question, “Can one person change the Constitution?” Have students independently reply to the prompt using evidence from their examination of the Gideon case.
14. When students are done with their individual responses, have students use the Four Corners strategy to “vote with their feet” once again to respond to the essential question, “Can one person change the Constitution?”
15. Have students share any shifts they made on the issue. You could also debrief using digital deliberation like Google Classroom.

**Possible Service Learning Informed Action:**

- Students could identify an area of injustice they experience in their life. They can then explore a plan of action to remedy the issue.

**Differentiation:**

- For classes that need more literacy support, the teacher can scaffold the Question Formulation Technique with question starters similar to the Q-Matrix.
- Teachers can engage in a close read of the Gideon Document to help students discern answers to the questions.
- Teachers can identify which of the questions generated by students they should look for the answers to for both the primary sources analysis and the video.

**Possible Assessments:**

- in class deliberation
- four corner check
- blog
  
- Individual response to essential question
  
- responses to supportive & essential questions generated by Question Formulation Technique.

**Other Considerations:**

If norms for classroom deliberations have not been established, here are some resources teachers can use to scaffold civil discourse.

- [Conducting a Civil Conversation in the Classroom by CRFC](#)
- [Contracting by Facing History and Ourselves](#)

For more details on the Four Corners strategy, read “Four Corners Strategy” from Facing History and Ourselves available at <https://www.facinghistory.org/resource-library/teaching-strategies/four-corners>