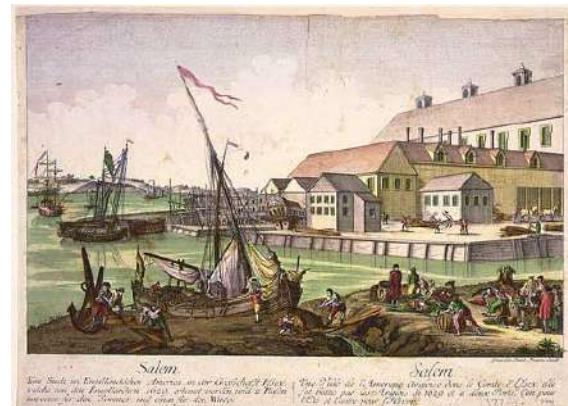
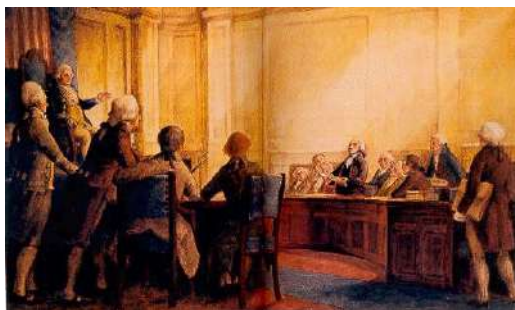


Oakland Unified School District
8th Grade – U.S. History Assessment
Fall Semester, 2010 - 2011

Agree or Disagree:
“The Constitution, as adopted in 1789, was a vast improvement over
the Articles of Confederation.”



Part I: Getting Started - What are the most important responsibilities of a good government?

A. Decide which of the following are very important responsibilities of a national government and which are less important responsibilities of a national government.

Label the very important responsibilities with a “+” and the less important responsibilities with a “-.”

- 1. To protect the rights of individuals. Included are the rights to speak freely, to practice a religion of choice, to enjoy privacy, and due process (included are the rights to a speedy trial, a lawyer, and a jury of peers) when accused of a crime.
- 2. To make sure that individuals do not gain too much power. To ensure that governmental leaders can't just do whatever they want to do whenever they want.
- 3. To defend the country from attack by other countries, to provide services such as the post office, roads, schools, police, and to resolve disagreements between states and individuals.
- 4. To protect its poorest and least powerful people from being exploited and discriminated against by its most rich and powerful people.
- 5. To allow state and local governments have the power to determine what is best for the people in their specific location, without interference from the national government.
- 6. To discuss important decisions publicly, so that all people can listen, make comments, and vote for the people and policies they want.

B. List two important responsibilities of a good government that are not listed above:

7. _____

8. _____

C. Look at the items that you marked as **very important**. Why do you think that these responsibilities of government are very important?

D. Look at the items that you marked as **less important**. Why do you think that these responsibilities of government are less important?

Part II - Background Essay: Setting the Historical Context

From the Articles of Confederation to the Constitution

In 1776, the members of the Continental Congress signed the Declaration of Independence, the document that announced the break by the colonies from Great Britain. In the eyes of the Continental Congress, the former colonies were now officially states and no longer subject to England's rule. Delegates rushed home to all thirteen of their newly-designated states and instructed leaders that they must write state constitutions – a set of laws that would organize the way they set up their new self-government.

The leadership of each state took on that task and over the period of a few years, thirteen new state constitutions were produced. Of course, continuing the practice of the time, white male property owners were the enfranchised (voters) in most states and the sole office holders in all states.

At this time, most people identified themselves as inhabitants of a particular state or region, rather than citizens of a new country. People were often as suspicious of other states as they were of England. And, they certainly did not want a strong central government to interfere with the workings of their particular state government. That would be too much like being under England's rule.

1. After the signing of the Declaration of Independence, why were many people opposed to a strong central government?

But how were the thirteen states to work together? A Committee of Thirteen was selected from the Second Continental Congress to design a national constitution. They drafted the Articles of Confederation which stated that Congress would become the national government. However, given the nervousness the states felt about mighty England's abuse of power, the Congress (also known as the Confederation Congress) would have very limited powers. Each state had one vote in Congress. Congress could settle (or try to settle) conflicts between states. It could make coins, borrow money, and make treaties with other countries and with Native American nations. Congress could request money and soldiers from the states, but the states could refuse these requests. There was no chief executive and no national court system.

The Confederation Congress passed one law they considered very successful – the Northwest Ordinance. This was a law that provided a way for new territories to become states.

The area that is now Wisconsin, Michigan, Illinois, Indiana, and Ohio was divided into square mile lots, 36 lots to a township. One lot was set aside for a public school, four were given to veterans and the rest were sold to the public. Slavery and involuntary service (indentured servants) were banned from the area. Native Americans received no specific rights, but were acknowledged in one phrase that stated, "The utmost good faith shall always be observed towards the Indians."

2. Under the Articles of Confederation, Congress passed the Northwest Ordinance. What do you think was the most important element of this law? Why is it important?

Nonetheless, for the Confederation Congress, governing was generally quite difficult under the Articles of Confederation. The Revolutionary War had been an expensive undertaking. And by 1787, the national debt was 75 million dollars. Yet under the Articles of Confederation, Congress had no way to collect taxes from the states to pay off this debt. Each state printed its own money; so did Congress. Soon none of the money was worth anything. In Massachusetts, the government refused to print any more worthless money and tried to pay off their debts by taxing farmers. One farmer, Daniel Shays, led a rebellion of other poor farmers against the state government of Massachusetts. Under the Articles of Confederation, the Congress had no power to help Massachusetts leaders when they asked for assistance.

Other national problems arose. Each state had its own rules about trade and taxes, and merchants who did business across state lines suffered. States squabbled about boundaries and water rights. And what would happen if a foreign nation invaded the new country? Trouble around trade was already brewing with England, France, and Spain. How could the thirteen states defend themselves without the power to raise a national army? A stronger central government seemed necessary.

3. What were two problems that the Congress could not solve under the Articles of Confederation?

In February 1787, the Confederation Congress invited each state to send delegates to a convention in Philadelphia in order to revise and improve the Articles of Confederation.

Despite issues that divided the states, compromises were reached that resulted in a new Constitution.

4. When and where was the Constitutional Convention held?

A two-house (bicameral) Legislative branch Congress was formed. The upper house, the Senate, would be comprised of two senators from each state, no matter how large or small the state. The number of members in the lower house, the House of Representatives, would be determined by the state's population.

States that practiced slavery wanted slaves counted as part of the population so that they could have more members in the House of Representatives. The smaller, non-slave states did not agree, yet they did not want the southern states to withdraw from the nation. A compromise was reached in which each slave would be counted as three-fifths ($3/5$) of a person in determining the population. (Remember, white male property owners were the voters in most states and sole office holders in all states, yet everyone who was in the state was counted as part of the population.)

5. Why did large slave states want slaves counted as part of the state population?

The Constitution also included an executive branch led by the president and a judicial system made up of all of the national courts. A series of checks and balances would keep any branch of government from becoming too powerful.

Power would be divided between the states and the central government in a system called federalism. Some powers and duties would go to the central government, some powers would go to the states, and some powers would be shared.

Provisions were made to amend or change the Constitution as needed.

Finally, in order to get the Constitution signed and adopted by all of the states, a Bill of Rights was added to protect individual and states rights from a too powerful central government.

This is the Constitution, that with some significant amendments (such as the abolition of slavery and the extension of voting rights to more people), is in effect today in the United States.

6. Under the Constitution, what are the three branches of government?

7. Why was the Bill of Rights added to the Constitution?

Sources:

The Constitution in its Social and Cultural Context: Carolyn Cox; lecture series for Teaching American History Grant Summer Institute; Oakland Unified School district; 2004.

From Colonies to Country: The History of US: Joy Hakim; Oxford University Press.

United States History: Independence to 1914: William Devereil and Deborah Gray White; Holt, Rinehart and Winston; 2006.

Part III - Comparing the Articles of Confederation and the Constitution of 1787
Developing the Language to Write a Compare and Contrast Essay

The following words will help you complete this activity.

Words that can be used to show a comparison - similarities	Words that can be used to show a contrast - differences
<ul style="list-style-type: none"> ▪ Similarly ▪ Like ▪ Also ▪ In the same way 	<ul style="list-style-type: none"> ▪ As ▪ Likewise ▪ Both
	<ul style="list-style-type: none"> ▪ But ▪ Otherwise ▪ Although ▪ On the other hand ▪ However
	<ul style="list-style-type: none"> ▪ Yet ▪ Still ▪ Even though ▪ In contrast

The two charts below compare and contrast the powers and organization of government under the Articles of Confederation and the United States Constitution.

Use information from each chart and words in the chart above, to fill in the blanks in sentences 1-11. Each sentence illustrates a similarity or difference between the Articles of Confederation and the Constitution.

Numbers 1 and 2 are already done so you have a model of how to complete numbers 3 – 10.

Chart 1

Power or Organization	Articles of Confederation	Constitution
Executive Branch – The President	The national government had no president and no executive branch.	A president is elected by an electoral college. The president can provide a check on the powers of legislative and judicial branches.
Judicial Branch – the Courts	The national government had no national judicial branch. Each state had its own court system.	A system of federal courts headed by the U.S. Supreme Court. (Each state still had its own system.)
Legislative Branch – Congress	The legislature of the national government was a one-house Congress in which each state, no matter what is population size, had one vote.	A two house Congress: <i>Senate</i> : each state, no matter what its population size, has two votes. <i>House of Representatives</i> : The number of representatives from each state is based on population size. The states with the largest population get the most numbers of representatives.
Passing a Law	In order to pass a law nine of the thirteen states must be in favor of the law.	A majority in each house of Congress (the Senate and the House of Representatives) must pass the law and the president must sign it.

1. **Example** - Under the **Articles of Confederation** there was no president of the executive branch of government, but under the **Constitution** there is a president.

2. **Example - Both** the **Articles of Confederation** and the **Constitution** had a legislative branch that passed laws.

3. Under the **Articles of Confederation**, there was no national judicial branch, each state had its own courts, _____ the **Constitution** included a federal court system headed by the _____.

4. Under the **Articles of Confederation**, Congress had all the power, _____ under the **Constitution** power was divided up and shared between the executive, legislative, and judicial branches.

5. Under the **Constitution**, the national government appears to have a lot power, _____ the **Articles of Confederation** created a system in which the national government has few powers.

Chart 2

Power or Organization	Articles of Confederation	Constitution
Amending (Changing what it says)	To change the Articles of Confederation, every state had to agree.	Two ways to change the Constitution: 1. An amendment passed by both houses of Congress and 2/3 of state legislatures. 2. An amendment passed by constitutional convention called by ¾ of state legislatures.
Establishing an Army	The national government had no power to establish a United States army. The national government could only ask each state for soldiers.	Gave the national government the power to raise (establish and recruit) an army.
Taxing	The national government had no power to tax. The national government could only ask each state for money to carry out its powers.	Gave the national government the power to tax.

Power or Organization	Articles of Confederation	Constitution
Controlling Trade	The national government had no power to control trade between the states or with other nations.	Gave the national government the power to control trade between states and other nations.
Slavery	Left support of slavery, or its abolition, up to each individual state to decide. The Vermont constitution abolished [made slavery illegal] slavery in 1777. Pennsylvania (1780 and Connecticut (1784 passed gradual abolition laws that said children of slaves born after a those date would be free when they reached a certain age. In Pennsylvania the age was 28, in Connecticut the age was 25. In Rhode Island children born to slave after 1884 were free.	Didn't explicitly mention "slavery" but contained provisions that supported its continuance, such as the 3/5th Clause (Article 1, Section 2. Banned the slave trade as of 1808 (Article 1, Section 9) Supported slavery through the inclusion of a Fugitive Slave Clause (Article 4, Section 2) that required states to return escaped slaves to the state from which they escaped. States could choose to abolish slavery
Treatment of Native Americans	The Confederation Congress had the authority to manage Indian affairs on the national level, but various states often meddled in Indian affairs and actually caused wars between tribes and states.	The U.S. Constitution provides that "Congress shall have Power...to regulate Commerce [trade]...with the Indian Tribes."
Bill of Rights that protects individual freedoms	None. Left up to each state.	None in the original draft of Constitution. Bill of Rights, (Amendments 1-10) added to support ratification.

6. Under the **Articles of Confederation**, the national government did not have the power to form a national army, _____ the **Constitution** gave the government the power to establish an army and recruit soldiers.

7. The **Constitution** gave the national government the power to tax the states as a way to raise money, _____ under the **Articles of Confederation** the national government could only ask the states for money.

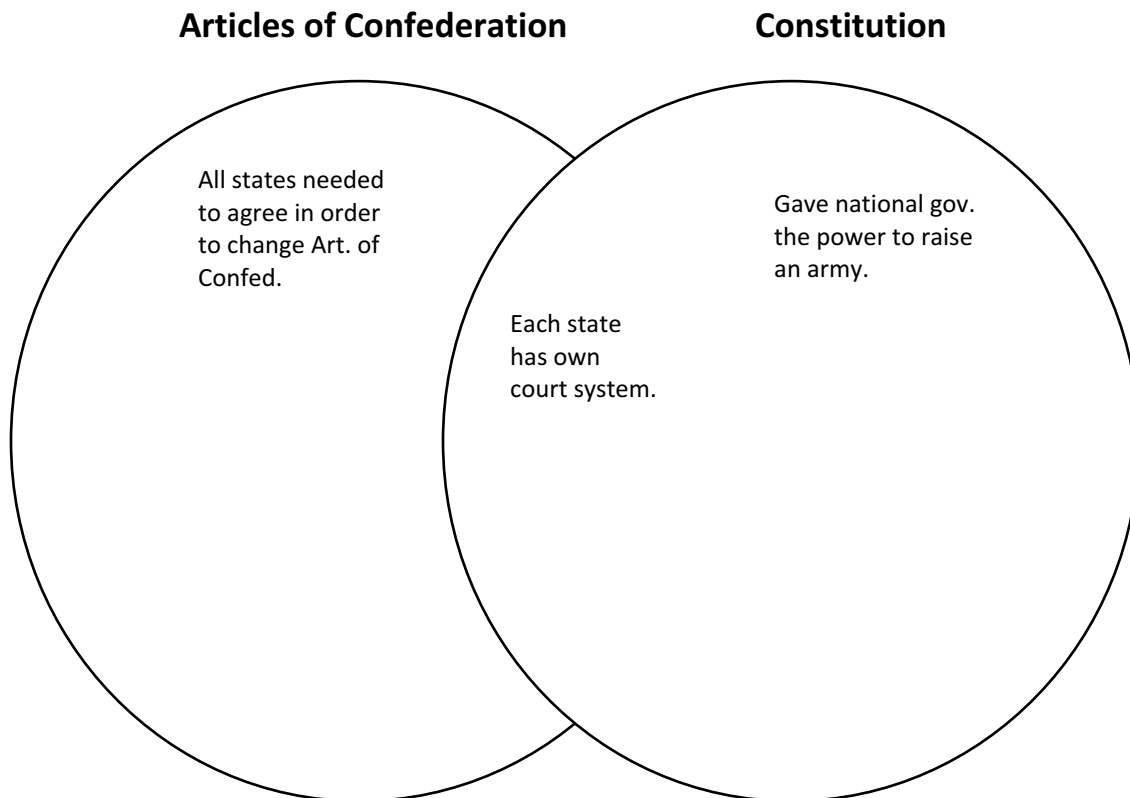
8. Under that **Articles of Confederation**, each _____ had the power to support or abolish slavery, _____ under the **Constitution**, states could choose to abolish slavery, _____ there was also national support for slave owners.

10. The **Constitution** gave the national government the power to control trade between states; _____ the **Articles of Confederation** did not include this power.

11. Neither the **Articles of Confederation** nor the original draft of the **Constitution** included a Bill of Rights, _____ one was added to the _____ to support its ratification.

Summary – The Articles of Confederation and the Constitution Similarities and Differences

Using the information from the previous charts and statements, list the similarities and differences of the Articles of Confederation and the Constitution on the Venn diagram below. The first few items are completed for you.



Sources: 3, 4, 5, 6, & 7
A Focus on the Power of the National Government, State Governments, and Individuals

Source #3 - A difference between the Articles of Confederation and the Constitution:

<p>"The Constitution of 1787 was very different from the Articles of Confederation. The Constitution gave the new national government much greater power than it had under the Articles of Confederation. It created a more powerful executive branch (the President). Many people praised the Constitution, arguing that it would bring strength to the country and resolve differences between states." - from <u>Voices of the American Past</u>, Raymond Hyser and Chris Arndt, p. 95-96</p>	<p style="text-align: center;">Yes</p> <p style="text-align: center;">No</p>	<p><i>These historians suggest that many people thought the Constitution would be an improvement because</i></p>
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Source #4 - The Massachusetts Constitutional Convention on the importance of a Bill of Rights, the first ten Amendments of the Constitution, 1788:

<p>"It is the opinion of this Convention that the addition of a Bill of Rights to the Constitution would remove the fears of the many good people of Massachusetts, and more effectively guard against too much power for the national government. ...it should be declared that all powers not given to the national government are reserved by the states [the 10th Amendment]...and that no person shall be deprived of life, liberty, or property without due process of law [5th amendment]. - Statement of the Massachusetts Convention that Ratified the Constitution, 1788</p>	<p style="text-align: center;">Yes</p> <p style="text-align: center;">No</p>	<p><i>The Massachusetts Constitutional convention says that the Constitution might be</i></p>
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Source #5 An Anti-Federalist Argues against the Adoption of the Constitution:

<p>In contrast to the state governments, there is little room in the proposed Constitution for the common man to express his views. Our political system must be in the hands of the common citizen – not a privileged group of elite, wealthy men.</p>	Yes	<p><i>This Anti-Federalist asserts that the Constitution...</i></p>
<p>The greatest number of our citizens should have the opportunity to participate in government. That can only happen if the states keep their powers, not if their powers are taken by a strong national government.</p> <p>- Anti-Federalist argument against the Constitution</p>	No	

Source #6 - A secondary source discussing Checks and Balances:

<p>“The national government proposed in the Constitution will have the authority to act for all our citizens. The President will make sure that America’s laws are enforced fairly and consistently. The Supreme Court will make sure the Constitution is used to judge the laws of each of the states. The Congress will pass laws to solve the nation’s problems and end the arguing between the states.”</p>	Yes	<p><i>The Choices Program explains that the Constitution was</i></p>
<p>-The Choices Program, Brown University August 2005</p>	No	

Source #7 - A quote from James Madison in Federalist no. 51, 1788: (Madison is often considered the “Father of the Constitution,” as his ideas formed the basis of much of the Constitution.)

<p>“Checks and balances among the legislative, executive, and judicial branches of government will insure that no individual or group will gain too much power. Ambition must be made to counteract ambition...If men were angels, no government would be necessary...” - James Madison, 1788</p>	<p>Yes</p> <p>No</p>	<p><i>In this quote James Madison says</i></p>
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Based on what I have previously learned and information in these sources (3-7) I think the **Constitution** "was" or "was not" (circle your response) an improvement in regard to taxes over the **Articles of Confederation**. Explain your response below.

Sources 8, 9, & 10 – A Focus on Slavery

Source #8 An historian explains how the Articles of Confederation dealt with slavery:

<p>The Articles of Confederation</p> <p>a) accepted the existence of slavery, but only indirectly and in a way that stopped the national [government] from interfering with its existence...</p> <p>b) prohibited its Congress from signing any treaty that stopped [made illegal] the Atlantic slave trade.</p> <p>c) left slavery, its abolition or continued existence, as something for the laws of individual states to decide.</p> <p>-from Sally E. Hadden, in <i>The Cambridge History of Law in America, Volume 1</i>. Michael Grossberg, Christopher L. Tomlins eds., 2008, p. 278</p>	<p>Yes</p> <p>No</p>	<p>This historian's states that under the Articles of Confederation</p>
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Source #8 – An historian discusses ways the Constitution protected slavery:

<p>“The writers of the Constitution did not include the words <i>slave</i> and <i>slavery</i>, but they did include clauses and words designed to support the enslavement of African Americans in the southern states. These clauses said that Congress couldn't pass any law stopping the African slave trade until 1808, and provided for U.S. government military aid in putting down slave revolts.</p> <p>- from <u>African American History</u>, Darlene Clark Hine, p. 149</p>	<p>Yes</p> <p>No</p>	<p>This historian states that under the Constitution</p>
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Source #9 - Historian Robin Einhorn explains the 3/5 Compromise's Impact on the Nation:

<p>“The Three-Fifths Compromise provided what might be called negative representation for slaves, as it actually increased the power of their masters in the legislature and therefore contributed to the continuation of slavery.”</p> <p>-from “Slavery and the Constitution,” by Robin Einhorn, 2007</p>	<p>Yes</p> <p>No</p>	<p>This historian states that under the Constitution</p>
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Regarding slavery, was the **Constitution** better than the **Articles of Confederation**? Why or why not?

Part V: Getting Ready to Write - Thinking again about the important responsibilities of a good government.

A. Think about what you have learned about the **Constitution**. Then look at the following list of the responsibilities of government, which is the same as the list in Part One.

If a responsibility was very important to the writers of the Constitution, and was included in the Constitution, mark it with a “+.”

If a duty was less important to the writers, and is not emphasized in the Constitution, mark it with a “-.”

- 1. To protect the rights of individuals. Included are the rights to speak freely, to practice a religion of choice, to enjoy privacy, and due process (included are the rights to a speedy trial, a lawyer, and a jury of peers) when accused of a crime.
- 2. To make sure that individuals in government do not gain too much power. To ensure that governmental leaders can't just do whatever they want to do whenever they want.
- 3. To defend the country from attack by other countries, to provide services such the post office, roads, schools, police, and to resolve disagreements between states and individuals.
- 4. To protect its poorest and least powerful people from being exploited and discriminated against by its most rich and powerful people.
- 5. To allow state and local governments have the power to determine what is best for the people in their specific location, without interference from the national government.
- 6. To discuss important decisions publicly, so that all people can listen, make comments, and vote for the people and policies they want.

B. Compare your responses from **Part I** with the responses above. Are your ideas about the responsibilities of a good government similar to the ideas of the writers of the **Constitution**? Explain and give examples.

Part VIII – Writing the Essay

Decide whether the United States was improved under the Constitution than the Articles of Confederation. Check the box that represents your judgment.

The Constitution **was an improvement** over the Articles of Confederation

The Constitution **was not an improvement** over the Articles of Confederation

Writing Assignment:

According to Professor Sanchez, “The Constitution, as adopted in 1789, was a vast improvement over the Articles of Confederation.” Use the sources in this packet and your own background knowledge to defend or refute (agree or disagree with) this statement.

Audience:

Your essay will be read by 8th grade history teachers from middle schools throughout Oakland. The best essays from across the district may be published in a district wide newsletter of the history writing from students in Oakland.

Instructions:

Write a multi-paragraph essay that answers this question. Your essay should include:

Introduction	<ul style="list-style-type: none"> • appropriate background information that explains to the reader why this is an important topic to write about • a well developed thesis that states what position your essay will support and previews the different points you will make in your essay to support your thesis
Supporting Paragraphs	<ul style="list-style-type: none"> • Topic sentences • Supporting evidence gathered from <ul style="list-style-type: none"> ○ Information about the Articles of Confederation and the Constitution that you learned in class (paraphrase or quote) ○ Evidence from the primary and secondary sources that you analyzed in this packet (paraphrase or include important quotes) ○ Explanations of how the evidence you have chosen supports your thesis • Links/tie backs to the thesis
Counter Argument	<ul style="list-style-type: none"> • Your response (counterargument) to evidence that could be used to argue for a different answer.
Conclusion	<ul style="list-style-type: none"> • Summarize arguments • Add significance – why is it important to understand this historical question and your answer.
Other	<ul style="list-style-type: none"> • A title that prepares the reader for what you will argue [say] about the Constitution • Fluid writing, precise language, and organization that move your argument forward

Pre Writing

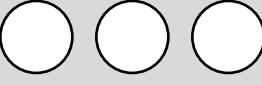
Question:	
Was the U.S. Constitution of 1789 an improvement over the Articles of Confederation?	
Response (thesis):	
Why should the reader accept your thesis (road map)? Provide two reasons	
FIRST REASON	
SECOND REASON	
Evidence to support your thesis	
Supporting Evidence for FIRST REASON	Supporting Evidence for SECOND REASON
Counter Argument	
Acknowledge the other perspective	Response to the other perspective

**Oakland Unified School District
8th Grade History Assessment
Fall Semester, 2010**

Question

According to Professor Sanchez, “The Constitution, as adopted in 1789, was a vast improvement over the Articles of Confederation.” Use the sources in this packet and your own background knowledge to defend or refute this statement.

Start Essay Here

Name: _____	
School: _____	
Teacher: _____ Period: _____	
Grade: _____ Date: _____	

Do Not Write in This Box