



APPRECIATING DEMOCRACY

**A LESSON PLAN FOR HIGH SCHOOL TEACHERS
OF CIVICS, GOVERNMENT, AND U.S. HISTORY**



*Prepared by Alan Rosenthal and Greer Burroughs
as a project of the Eagleton Institute of Politics
of Rutgers University*

APPRECIATING DEMOCRACY LESSON PLAN

Prepared by Alan Rosenthal and Greer Burroughs as a project of the Eagleton Institute of Politics of Rutgers University.

The current version was completed in September 2003.



LESSON PLANS DISTRIBUTED BY: THE STATE OF WYOMING LEGISLATURE



For information about civic education resources available from the Wyoming Legislature, please contact Riana Davidson, Visitor Services Manager, Wyoming Legislative Service Office, Telephone: (307) 777-7881; E-mail: Riana.Davidson@WYOLEG.GOV

WITH FUNDING AND SUPPORT FROM: THE ALLIANCE FOR REPRESENTATIVE DEMOCRACY VOICES OF THE PEOPLE PROJECT



ALLIANCE FOR REPRESENTATIVE DEMOCRACY PARTNERS:



TRUST *for* REPRESENTATIVE DEMOCRACY
NATIONAL CONFERENCE of STATE LEGISLATURES



Center for
Civic Education



THE CENTER ON CONGRESS AT INDIANA UNIVERSITY

SUMMARY

This lesson is designed to teach students to appreciate the most basic practices of democracy in the United States: first, that people have different values, interests, and opinions; and second, that these differences are often settled in legislative bodies by means of deliberation and negotiation, with compromise and a majority vote as key elements.

The lesson can be taught in three or four 45-minute class periods. At the heart of the lesson are three easy-to-teach activities (or simulations).

The materials in this package are designed for teachers of high school civics, government, or U.S. history and include: a table of contents; an overview of the lesson; lesson plans for activities 1, 2, and 3, with student handouts; and a lesson plan for a wrap-up session.

Other Materials and Web Sites

A very useful resource for teachers and for students in AP courses in American government is the book, *Republic on Trial: The Case for Representative Democracy*, by Alan Rosenthal, John Hibbing, Burdett Loomis, and Karl Kurtz. It is published by CQ Press, 2003. For teachers who want to go further, see John Hibbing and Elizabeth Theiss-Morse, *Steal Democracy*, published by Cambridge University Press, 2002.

Materials published by the organizations sponsoring the “Appreciating Democracy” project are also very useful, as are the web sites of these organizations. The National Conference of State Legislatures has published several versions of *Your Ideas Count!*, which explains how representative democracy works. In 2002 a youth booklet was published explaining that: disagreement is a natural part of the legislative process: debate, negotiation and compromise are necessary; and students’ chances of being heard are better when they join with a group of people who share their views. Also in 2002 a sixteen-minute youth video tells the story of five high school students who find out what happens when state lawmakers are in session. Again, emphasis is on disagreement, debate, compromise and advocacy. In 2003 the adult version of *Your Ideas Count!*, was published, challenging readers to think about how representative democracy works and relates to them. Also available are online lesson plans that relate to the above themes.

The Center for Civic Education in Calabasas, California has published three important volumes. In 1997 it published National Standards for Civics and Government. The latest edition of *We the People...The Citizen and the Constitution*, a study of the U.S. Constitution, was published in 2000. There are separate versions for elementary, middle and high school levels. The latest edition of *We the People...Project Citizen*, a framework for civic participation at the middle school level, was published in 2001.

The Center on Congress at Indiana University has published a number of materials about Congress including interactive e-learning modules.

A wide range of materials for instructional purposes is available on the following websites:

- National Conference of State Legislatures
Trust for Representative Democracy - <http://www.ncsl.org/trust>
- Center for Civic Education - <http://www.civiced.org>
- Center on Congress - <http://congress.indiana.edu>
- Dirksen Congressional Center - <http://www.dirksencongressionalcenter.org>

TABLE OF CONTENTS

Appreciating Democracy: An Overview of the Lesson

Background, objectives and methods for teachers (Item A)

Activity 1

Differences and Settlements in Ordinary Life

Lesson plan for teachers (Item B1)

Activity 1: Where To Eat?

Description and instructions for the activity, to be used by teachers and handed out to the students (Item B2)

Observer Worksheet for Activity 1

For monitoring of students by teachers (Item B3)

Restaurant Ballot

Ballot to be handed out to students (Item B4)

Activity 2

Differences and Settlement in Framing The U.S. Constitution

Lesson plan for teachers (Item C1)

Activity 2: Big vs. Little

Description and instructions for the activity, to be used by teachers and handed out to the students (Item C2)

Observer Worksheet For Activity 2

For monitoring of students by teachers (Item C3)

Activity 3

Differences and Settlement in the Legislative Budget Process

Lesson plan for teacher (Item D1)

Activity 3: Dividing Up The Pot

Description and instructions for the activity, to be used by teachers and handed out to the students (Item D2)

Wrap-Up Session

The Fundamentals of American Democracy

Plan for concluding discussion led by teacher (Item E)

Applying the Lesson of Democracy Appreciation

Activity: Invite a Legislator to the Classroom

Plan for structuring the legislator's visit to the classroom (Item F)

AN OVERVIEW OF THE LESSON

Item A

Background, objectives and methods for teachers

This lesson on appreciating democracy is designed mainly for civics and American government courses taught at the high-school level. It can also be used in courses on American history. It is at the very core of American government and politics, and practically every other lesson needs to be built on it. It is adapted to state standards for civics and government. The lesson has been developed by Alan Rosenthal, professor of public policy at the Eagleton Institute of Politics at Rutgers University, and Greer Burroughs, adjunct professor of education at Seton Hall University and a former social studies teacher.

The “Appreciating Democracy” project is sponsored by several organizations that are collaborating on the teaching of civic education on representative democracy: the National Conference of State Legislatures, the Center for Civic Education, and the Center on Congress at Indiana University through the Representative Democracy in America project. Also sponsoring this project is the Dirksen Congressional Center in Illinois.

The lesson that follows reflects the research and writing of four political scientists, who are students of Congress, state legislatures, and public opinion. The work of John Hibbing of the University of Nebraska, Burdett Loomis of the University of Kansas, Karl Kurtz of the National Conference of State Legislatures, and Rosenthal is contained in a book designed mainly for introductory American government courses at the college level: *Republic on Trial: The case for Representative Democracy* (Washington, D.C.: CQ Press, 2003).

Rationale

Democracy is not easy to appreciate. Nor should it be. It is filled with conflict, it is extremely human, and it is very messy. That is the way it ought to be.

Although it is essentially as it should be (notwithstanding that democratic institutions and processes are not perfect and are always in need of improvement), democracy gets a bad rap, especially as it is practiced in Congress and state legislatures. The environment in America today is not a friendly one for the actual practices and political institutions that work at democracy.

The electronic and print media are critical of political institutions and practices. They report what is bad, or appears bad, or what is scandalous, or might appear scandalous. The media’s business is to stay in business-by attracting an audience. People respond more to the negative than to the positive. Hence, if it’s bad, it’s news and the worse it is, the better it is as news.

The negative is central to political campaigns, where competition is intense.

Candidates nowadays not only compare their opponent’s record with their own, they also look for anything negative about an opponent’s character, associations, and even personal life. Candidates employ negative campaigns because they appear to work.

Advocates for one issue or another criticize the congressional and legislative systems, because they are not able to enact the policies or get the funding they believe their agendas merit. No one is ever entirely happy with what a legislature produces; a number of people and groups are unhappy, however, because they believe that they deserve considerably more than they get.

Winston Churchill’s comment about democracy is most appropriate: “It has been said that democracy is the worst form of government except all those other forms that have been tried from time to time.” Given the number of legislators in the 50 states (7,382) and members of Congress (535), the more than 200,000 bills introduced in a two-year period, and the millions of transactions that take place in Congress and the

50 state legislatures, there are bound to be people who do wrong and things that go wrong. When discovered, these are the cases reported extensively by the media, as they should be. Americans, however, generalize from the relatively few instances to all or most instances. They continue to like and reelect their own congressperson or state legislator but, as public opinion polls show, they don't like the rest—and they do not like the Congress or the legislature or the “system”.

The environment is a rough one, but the most important obstacle democracy faces is that Americans simply do not appreciate what democracy means in practice. In theory, we all revere democracy and support certain principles that underlie it. But we are uncomfortable with the nitty-gritty workings of democracy. It is unappealing to the average eye.

First, Americans do not see why there is so much conflict in politics. Research by political scientists has shown that many Americans think that most people agree on basic issues of public policy. So why is there so much fighting in Congress and state legislatures? To some extent people are correct. At a very general level, Americans are in agreement. They want better schools, better health care, better highways. But there is disagreement over how to achieve these general goals, how to prioritize expenditures, and whether to raise taxes to pay for them. The more specific the issue becomes, the greater the disagreement. It is said that the devil is in the details, and lawmaking is a detailed business. It is easy to believe that most people agree because we live in relatively homogeneous political communities or deal with people who tend to be politically alike. In the nation at large, however, there is sharp disagreement on issues such as abortion, guns, the death penalty, and gay rights, to name only a few. Still there may be substantial agreement in different communities. For example, a poll in *USA Today* showed that in Montclair, New Jersey, about 75 percent of residents agreed on a number of major issues and in Franklin, Tennessee about the same proportion agreed. But the residents of Montclair and Franklin agreed in opposite directions. If nothing else, close and sharp division between Republicans and Democrats at the national level and in many of the states attests to the division in the ranks of Americans.

Second, because they do not see the existence of differences in the public, Americans do not see the need for conflict in Congress and state legislatures. “We all know what's right, so why don't they just do it,” is the dominant attitude. Survey research and focus group studies have demonstrated that people want action, and not deliberation which they regard as “bickering.” They find stalemate unsatisfactory when the two sides cannot get together, yet they regard compromise as “selling out.” Americans, in short, are not in sympathy with the way in which issues get settled in democratic politics.

Objectives

Since democracy appreciation does not come naturally, it has to be taught—just as music and art appreciation have to be taught. This is offered as a first, and a fundamental, lesson in appreciating democracy. It has three principal objectives:

1. To develop in students an understanding of the differences in values, interests, priorities, and opinions that exist in a diverse society such as ours. The differences that exist are normal in a democracy and should be respected, not regretted.
2. To develop in students familiarity with different methods used in settling conflicts among values, interests, priorities, and opinions in our democracy. The methods that are of concern are deliberation, negotiation (including compromise), and decision by voting.
3. To develop in students an awareness that differences among people and deliberation, compromise, and voting exist not only in contemporary political life. They exist in one's personal, family, school, and work life as well. They also exist in historical events, such as the framing of the US Constitution. There is nothing arcane or mystical about the processes that are the focus of this lesson. Yet many Americans don't get it.

Concepts

A number of concepts are central to the current exploration. They are briefly defined below.

1. Agreement or consensus. What degree of agreement is necessary? When does a consensus exist? Although a majority rules, a 51-49 split indicates sharp division, not agreement. We should consider agreement or consensus on an issue to be something like a 65-35 division, or more likely a 50-25 division with another 25 percent without an opinion or position. There is no absolute rule as to what constitutes agreement or consensus, but it is a topic that the class should explore. And even when there is a consensus, some people will still have contrary views.
2. Deliberation is a process in which each side tries to convince the other of its own position and ideas, and each side is open to being convinced by the other. This does not mean that everybody on one side is open to persuasion, but rather that a healthy number of people are. In deliberation arguments are made on the merits of the case and how each proposal will advance the public interest in some way. Most of the discussion that takes place in Congress and state legislatures is of a deliberative nature. It revolves around the merits, as seen by various participants in the process.
3. Negotiation supplements deliberation as a tool for reaching a settlement. In negotiating it is no longer a question of persuading the other side on the basis of a substantive argument. Each side is firm in its beliefs, but may be willing to give in, in order to reach a settlement. There are many possibilities in negotiating, but the main ingredient is a compromise of one sort or another. In a compromise each side gives up some of what it wants in order to get something. For example, Participant A is willing to delete a provision from a bill to which Participant B objects, but only if B is willing to delete a provision to which A objects. That is a compromise. A budgetary example is probably the easiest to understand. If the bill passed by the senate has an appropriation of \$50 million for an automobile inspection system, but the bill passed by the house appropriates only \$30 million for that purpose, the natural compromise position would be \$40 million. In the legislative process individuals compromise, legislative parties compromise, the senate and the house compromise, and the legislature and the executive compromise.
4. A decision has to be reached for a settlement to be achieved. In our system of representative democracy majority rule is an overarching principle. Although majorities rule, another overarching principle is that minority's rights must be protected. The tension between majority rule and minority rights is evident in legislative bodies. Here, decisions as to a settlement are decided by a majority vote but a minority has a say in the process. A majority of those voting, or those authorized to vote, must concur for a bill to be passed. In some instances an extraordinary majority is required. That is the case in the U.S. Senate where a three-fifths vote is necessary to bring debate to an end, or to stop a filibuster. An override of a president or governor's veto also requires more than a simple majority. In less formal circumstances, a consensus may be arrived at without an actual vote being taken. Often, however, a settlement cannot be worked out. Proponents and opponents will not compromise. One side may win because it has the votes or a stalemate may be the outcome.

Methods

In order to develop an understanding of differences and settlements in political life, three simple activities are proposed. Each of the three can be done with 10 to 30 students in a 45-minute class period. A fourth 45-minute period is also recommended in order to reinforce and broaden the lesson learned in the first three periods. A teacher may choose to use two, or conceivably only one activity, instead of all three. But the three-plus-one together are the best package.

Activity 1, Period 1

Differences and settlements in ordinary life. Students as a group have to decide on where to have dinner. They can choose from among a number of restaurants, for each of which there is a brief restaurant review. If-and only if-the students agree on a single restaurant will the school principal foot the bill for dinner. Do students have different preferences? How do they go about reaching a settlement so that they can be treated to a meal?

Activity 2, Period 2

Differences and settlement in framing the U.S. Constitution. Students are assigned roles as delegates representing one of the twelve states at the Constitutional Convention in Philadelphia. They have to decide what is in their state's interest, as far as representation in a new governmental structure is concerned. The choice, just as it existed in the eighteenth century, is whether each state should have equal representation or whether representation should be based on the size of a state's population. If nine states do not come into agreement, a new constitution and new nation may not come into being. How do students figure out what their state's interests are? How do the delegations go about trying to reach agreement on representation in the legislative branch of the new government?

Activity 3, Period 3

Differences and settlement in the legislative budget process. Students are assigned to one of four subcommittees of an appropriations committee of a state legislature. Each subcommittee—education, health, welfare, and homeland security—has responsibility for important new programs proposed by the governor. The state constitution requires that the budget be balanced, but current projections are for a revenue shortfall of \$500 million. Either the budget has to be cut by \$500 million or the sales tax has to be raised to produce the revenue needed. Or a budget cut and tax increase can be combined. State public opinion polls show that people favor the proposed programs, but do not want to pay a higher sales tax. What do students on the four subcommittees and full committee do in order to balance the budget?

Student Assignments

Students will be asked to reach a settlement—agreeing on a restaurant, adopting a plan for representation at the Constitutional Convention, and balancing the state budget.

Teacher Observations

The teacher will monitor each activity, noting on an observer worksheet: (a) how and why students differed in their initial positions; (b) how deliberation and negotiation (and particularly compromise) were employed in efforts to reach a settlement; and (c) how a decision was finally effected—by majority vote, two-thirds vote, unanimity, informal consensus, or perhaps no decision could be reached.

Debriefing

After the activity, the teacher will debrief the students on what went on and how students felt about it. The teacher's contribution to the debriefing will depend largely on his/her observations of the activity itself. The debriefing should focus on: (a) how and why did students differ in their initial positions? (b) how were deliberation and negotiation (and particularly compromise) employed by students in an effort to reach a settlement? (c) how was a decision finally made—by a majority vote, two-thirds vote, or wasn't an agreement arrived at? (d) how did students feel about the experience—was the process fair, was the settlement fair?

Wrap-up, Period 4

The wrap-up session will reinforce and expand on what students have already learned. These are the questions that should be addressed in the wrap-up:

1. What do students know or appreciate now that they didn't know or appreciate before the class undertook these activities and discussions? In short, what do students think they have learned from this lesson?
2. What are the differences between the processes of disagreeing and settling in personal (family, friends, workplace) life and disagreeing and settling in political life, that is in a legislative body?
3. Instead of requiring students to agree on the restaurant, would it have been better for the principal to decide on his/her own? What kind of political system would that type of decision-making fit in with? What are the advantages and disadvantages of an autocratic political system?
4. Instead of having nine states come into agreement, what might have happened if only seven states had agreed on the issue of representation? Might the effort to draft a new constitution have failed? Are there times when an extraordinary majority is needed? What actually did happen at the Constitutional Convention and how specifically was the representation issue settled? What do students think of the actual settlement?
5. Why shouldn't states submit the budget question to a vote of eligible voters. Let the people decide. This would be a manifestation of direct democracy, rather than representative democracy whereby people elect legislators whose job it is to represent the interests of their constituents and constituencies. What would be the benefits of direct democracy, with referendums on the budget as well as issues? What would be the disadvantages?

Optional Assignments

The teacher may choose to assign students written work to be done at home, either before, between periods, or at the conclusion of the lesson. Possible assignments are as follows:

1. Describe instances of disagreement within your family and how they were settled, making use of the concepts being studied here (deliberation, negotiation, compromise, and decision).
2. Should representative democracy be practiced more in this school? What are the arguments for greater democracy and what are the arguments against it?
3. Discuss decision-making within some group or organization to which you belong. How democratically is it run?
4. Describe how the framers of the U.S. Constitution handled and finally settled the issue of representation in the new Congress.
5. Discuss how budgets are formulated, reviewed, and enacted in your state, paying particular attention to differences and disagreements.
6. Choose the issue of abortion, gay rights, or guns and explore how the public divides on these issues. How are such issues dealt with by your legislature?

Assessment

Students should be expected to learn a number of things about American politics and representative democracy, most of which can be assessed by a written test. As a result of this lesson, and mainly the activities and debriefings, students ought to understand: (a) the existence of differences in values, interests, priorities, and opinions among Americans; (b) settlements of these differences by means of deliberation, negotiation, compromise, and voting; and (c) that the process of working through conflict is often difficult.

The following questions are illustrative of ones that can be employed on a test.

1. What is the major reason for conflict in Congress and state legislatures:
 - a. Representatives are jockeying for position in order to be reelected
 - b. Legislative leaders take extreme positions and other legislators follow them
 - c. People who are represented don't agree on important issues
 - d. The processes by which Congress and state legislatures operate are designed to promote conflict
2. Generally speaking, how do disagreements over policy issues get resolved in Congress and state legislatures? Describe three processes or ways in which settlements are reached?
3. Many people believe that it is not necessary for Congress and state legislatures to spend a lot of time debating issues, but they should just take action and get things done. Do you agree or disagree with this point of view? Explain why.
4. Which of the following best defines "deliberation" as it takes place in a legislative body?
 - a. Legislators engage in trading votes in order to build consensus on a measure
 - b. Each party rallies its members to stand together firmly in support or opposition to a measure
 - c. Legislators poll their constituents to find out what people in their districts think and want
 - d. Proponents and opponents of a measure argue the merits of their case and legislators on each side are open to persuasion
5. Which of the following constitutes a "compromise" in trying to reach a settlement in a legislature?
 - a. "My way or the highway"
 - b. "You give on this point, I'll give on that one"
 - c. "Just put it to a vote, and we'll see who wins"
 - d. "This is what has to be done in the public interest"
6. Many Americans believe that compromise is selling out. Do you agree or disagree with this belief? Explain.
7. What is the principal decision rule in a legislative body?
 - a. Any legislator can pass a bill if he/she works hard enough
 - b. Public opinion polls determine whether a measure is enacted into law
 - c. A majority is necessary to pass a bill
 - d. Everyone has to agree if a bill is to be enacted
8. What definition best applies to "representative democracy" as it operates in the United States?
 - a. A system in which people elect representatives who act on their behalf
 - b. A system in which people instruct their elected representative as to how to vote on issues
 - c. A system in which the executive initiates policy and the legislature accepts or rejects it
 - d. A system in which the membership of a legislative body mirrors the population of the state in terms of characteristics such as gender, race, etc.
9. Which of the following are strong arguments against direct democracy? Check as many as apply.

- a. Issues are too complex for people to decide
 - b. The legislature often stalemates, with neither side willing to budge
 - c. Voters have not studied the issue nor deliberated on it, as have legislators
 - d. It is not possible to compromise if an issue is on a ballot for a vote
 - e. Voters cannot be held accountable for their actions as legislators are held accountable
10. What settlement was reached on the issue of representation of states by the framers of the United States Constitution?
- a. States represented in the Senate, population represented in the House
 - b. Population the basis for representation in both the Senate and the House
 - c. Each state has two seats in the Senate and eight seats in the House
 - d. A settlement could not be reached until the Eleventh Amendment was adopted
11. Generally speaking, did this lesson effect your ideas about the workings of democracy in the United States? Which of the following do you believe after going through this lesson?
- a. There is more disagreement in America than people realize
 - b. We should not expect people to agree on what ought to be enacted into law
 - c. It may be necessary for two sides to compromise in order to reach a settlement
 - d. In the final analysis there's no better way to decide things than by majority vote
 - e. It is not easy to reach a settlement when people start off with different values or different interests
 - f. It is understandable that the legislative process moves as slowly as it does

Advantages of the Lesson

1. It is the core lesson for an understanding of American government and politics.
2. The lesson is geared to state standards.
3. The lesson focuses on a few important points, rather than trying to do everything.
4. While it is designed to communicate knowledge, it also shapes democratic dispositions and fashions democratic skills.
5. Simulations engage the student and bring home the points that are being conveyed.
6. Debriefings ensure that the lesson is learned, even internalized.
7. A combination of personal, historical, and legislative simulations demonstrate the pervasiveness of disagreement, deliberation, negotiation, and votes, and serve to demystify legislative politics.
8. The value of “fairness” is given emphasis throughout the teaching of the lesson.
9. Comparisons are made to alternative political systems—autocracy and direct democracy.
10. The point is made that some issues may not be settled, because majorities cannot be put together.
11. The lesson, including simulations, debriefings, and wrap-up, are relatively easy for the teacher to administer.

Activity 1 — Item B1

DIFFERENCES AND SETTLEMENTS IN ORDINARY LIFE

LESSON PLAN

Lesson Goal

The purpose of the first activity is to demonstrate that differences and their settlement in personal life are not unlike differences and their settlement in political life. In both spheres differences are normal. And in both spheres a settlement is reached by trying to persuade one another on the merits, by negotiation and compromise, and by majority agreement.

Objectives

1. To understand and appreciate a few of the basic practices of democracy:
 - That people have different values, interests and opinions.
 - These differences are often settled by means of deliberation and negotiation, with compromise and a majority vote as key elements.
2. To appreciate that the processes used in reaching a settlement are similar in both personal situations and the political sphere.

Concepts

Deliberation: A conversation by two or more sides on an issue in which each side tries to persuade the other of the merits of its position, and each side is generally open to persuasion.

Negotiation: This practice does not involve the substantive merits of the issue, or one side convincing the other that it is right. Rather, negotiation is an activity in which two sides with different positions try to resolve their differences by a variety of techniques such as compromise.

Decision: Whether deliberations and/or negotiations are used to reach a settlement, it is necessary to know when that settlement has been reached. In democratic politics that normally means voting.

Materials

Where to Eat? - A description of the activity, directions for the teacher and a student handout. (Item B2)

Observer worksheet for teachers (Item B3)

Restaurant ballot (Item B4)

Activity

1. Review the activity description with the students. Allow students time to silently read the *Local Restaurant Guide*. (5 minutes)
2. Pass out the restaurant ballot form to all students and instruct them to mark their initial selection. Do not reveal to the class the results of this poll. (2 minutes)
3. Instruct members of class that they will have 15-20 minutes to discuss their options and reach an agreement. Remind the students that the principal will only pay for dinner if agreement can be reached.
4. Allow the students to deliberate and negotiate. Observe this process and take notes using the *Observer Form*. These notes will be important in the debriefing.

5. Stop the period of deliberation and negotiation either when an agreement has been reached or the time has expired. (20 minutes)
6. Use the questions for debriefing (below) to discuss the activity with the students. (15 20 minutes)

Debriefing Questions

The main questions to be addressed in this debriefing are:

1. What were the initial restaurant choices of the students? How many different choices? Was there a majority, a plurality at the outset?
2. Did students take a straw vote to find out who favored what?
3. Were there efforts, then, to persuade one another to agree on certain restaurants? Were these arguments made on the merits, such that a particular restaurant had better food, better service, etc.?
4. Did negotiations take place among proponents of one restaurant or another? Were any compromises struck? Was it possible to compromise in this activity?
5. How was the decision as to where to eat made? By a series of votes? One vote? A majority vote? Otherwise?
6. Why did the minority agree to go along with the majority?
7. How did students feel about the process and settlement? Was the process fair? Was the settlement fair?
8. Ask the students to suggest other instances from their own experience where differences had to be worked out by democratic means. What were the differences? Why did they have to be settled? What roles did deliberation and negotiation play? Were any compromises reached?

Activity 1 — Item B2

WHERE TO EAT? STUDENT HANDOUT

Tradition holds that each year the senior class at your school has an end-of-the-year celebratory dinner. The school principal has offered to pay for this event and invited the senior class to select a local restaurant. The only requirement is that the class must reach agreement as to which restaurant they will eat at. If an agreement can not be reached, then the principal will not pay for the dinner.

In this activity you will play the role of a member of the senior class. You must discuss with the other members of your class where to have this year's dinner. In order to help with this decision you have been provided with a restaurant review of local restaurants. In addition to the descriptions, each restaurant has received a rating. Four stars is the highest rating a restaurant can receive.

Local Restaurant Review

Hunan Wok ***

Authentic food from the Hunan Province is served in this delightful environment. Chinese art, gardens and fountains help diners to feel that they have been transported to the Far East as they enjoy the delicious daily specials prepared by Chef Wong. Each evening a few lucky diners receive fun surprises in their fortune cookies such as free tickets to local movies and amusement parks or coupons for a free dinner on their next trip to the Hunan Wok. Dinners range from \$8.99-\$14.99

IL Villagio **

Pasta offered 17 different ways along with all you can eat specials are the popular draws at IL Villagio. The sauces are creative and many quite good, but are sometimes served over pasta that has been cooked too long. The daily specials feature favorite Italian dishes such as Chicken Piccata, Lasagna with a Bolognese sauce or a Veal Parmigiana. The causal atmosphere and all you can eat pasta starting as low as \$5.99, make this an ideal family restaurant. Entrees range from \$9.95 - \$13.95

The Ranch House ***

Beef, beef and more beef is the motto of The Ranch House. Whether it is a prime rib, rib eye steak or a cut of filet mignon, all are cooked to perfection. Steaks are complemented with a choice of potatoes, fried, mashed or baked. The extensive salad bar offers a nice beginning to your meal. For the non-meat eater chicken, broiled or grilled, is also served. The rustic decor and western style outfits worn by the wait staff add to the dinner experience. Dinners range from \$17.95 - \$28.95

The Aztec Hut ***

If you like Mexican, the Aztec Hut will not disappoint. All of the favorites, nachos, fajitas, and burritos, are served along with specials such as Chicken Mole and Blackened Fish Tacos. Portions are generous and often require a doggie bag. Live music offered each evening is a mix of blues, soft rock and traditional Mexican. Dinners range from \$8.99-\$14.99

The Pier ***

A seafood lover's haven! The Pier is best known for its shrimp and oyster bar, but also offers an extensive menu of delicious seafood entrees. The land lover can enjoy a selection of Prime Rib or Filet Mignon, best coupled with a shrimp scampi or lobster tail on the Surf and Turf menu. All entrees are served with pasta, rice or a potato. Diners are serenaded by a piano player in this elegant atmosphere. Proper attire and reservations are required. Entrees range from \$18.95 - \$34.95

Joe Burger Joint ***

Joe provides a casual and friendly atmosphere to gather with friends and family. Although Joe Build Your Own Burgers are popular, patrons can choose from a variety of dishes such as BBQ Ribs, grilled chicken and pasta dishes. A wide range of appetizers and desserts is also offered. All portions are generous and reasonably priced. What Joe may lack in ambience, is made up for in down-to-earth, good food. Prices range from \$6.99 - \$11.95.

Activity 1 — Item B3
WHERE TO EAT?
OBSERVER WORKSHEET

1. How and why did students differ in their initial positions?

2. How was deliberation employed, and how important was it in the settlement process?

3. To what extent did students negotiate, and what type of negotiations took place?

4. Were compromises made, how were they made, and what were they?

5. How was a decision finally made—by a vote or otherwise?

Activity 1 — Item B4
RESTAURANT BALLOT

Choose your first and second choice by marking the appropriate space.

| Restaurant | First Choice | Second Choice |
|-------------------|---------------------|----------------------|
| Hunan Wok | | |
| Ill Villagio | | |
| The Ranch House | | |
| The Aztec Hut | | |
| The Pier | | |
| Joe Burger Joint | | |

Activity 2 — Item C1

DIFFERENCES AND SETTLEMENT IN FRAMING THE U.S. CONSTITUTION LESSON PLAN

Lesson Goal

By studying an important historic event students can see that the basic principles of democracy have been part of the American experience from our beginnings. Students can also gain an appreciation for the enduring nature of these concepts when they compare past practices in government to present practices.

Objectives

1. To understand and appreciate a few of the basic practices of democracy:
 - That people have different values, interests and opinions.
 - These differences are often settled by means of deliberation and negotiation, with compromise and a majority vote as key elements.
2. To explore differences among the states and settlements worked out by delegates to the Constitutional Convention.

Concepts

Deliberation: A conversation by two or more sides on an issue in which each side tries to persuade the other of the merits of its position, and each side is generally open to persuasion.

Negotiation: This practice does not involve the substantive merits of the issue, or one side convincing the other that it is right. Rather, negotiation is an activity in which two sides with different positions try to resolve their differences by a variety of techniques such as compromise.

Decision: Whether deliberations and/or negotiations are used to reach a settlement, it is necessary to know when that settlement has been reached. In democratic politics that normally means voting.

Materials

Big vs. Little: A description of the activity, directions for the teacher and handout for the students. (Item C2)

Observer worksheet for teachers. (Item C3)

Preparation

The day of the activity structure the classroom so that movement among students is possible, e.g. move desks to clusters of small groups with space to walk around in-between.

Activity

1. Allow student time to read the student handout and answer clarifying questions. (10 minutes)
2. Review the directions for the activity with the students.
3. Assign student roles. (directions and roles 2 minutes)
4. Allow students to deliberate and negotiate. (15–20 minutes)
5. Observe the deliberation and negotiations process and make notes using the Observer Worksheet,

6. Debrief the activity using the debriefing questions below. Allow plenty of time for students to reflect on their experiences. Share your observations with students and help to clarify the processes the students engaged in. (15–20 minutes)
7. Conclude by telling students how the framers did in fact resolve this conflict.

Debriefing Questions

1. What were the disagreements among you and why?
2. How did you try to work through the disagreements and reach a settlement?
3. How do you feel about the process? Was it effective? Was it fair?
4. What did you learn from this experience?

Activity 2 — Item C2
BIG VS. LITTLE
STUDENT HANDOUT

As the tensions between the American colonies and Great Britain intensified, delegates gathered in 1775 at the Second Continental Congress to discuss how best to proceed. By the late spring of 1776, independence from Great Britain seemed imminent. The next serious issue the delegates faced was how to govern the new nation. On July 2, 1776, a plan was submitted to the Congress that called for a confederation of states to be formed around a weak central government. This system was adopted and became known as the Articles of Confederation. Under the Articles of Confederation, the young nation successfully fought a war against Great Britain and secured its independence. However, the structure of the new government led to many problems for the country.

Under the Articles of Confederation, the states retained more power than the national government. Although this was done intentionally in order to avoid a central government that could become too powerful and tyrannical, the result was chaos that threatened the very existence of the new nation. Some of the problems were the national government's inability to enforce any laws or treaties that it passed or to collect taxes from the states. It was left to the states to enforce the laws and to contribute financially to the central government through the levying of state taxes. Due to this system, the central government was unable to repay war debts and raise sufficient funds to successfully operate. In addition, many treaties negotiated with foreign nations were not enforced by the states, thus jeopardizing the nation's credibility in the international arena. There was also a general lack of cooperation among states, particularly concerning trade. Once again, the national government was powerless to take any action as each state maintained individual sovereignty.

By 1787, the future of the new nation was so threatened that the Congress called for a meeting of delegates from each state to discuss amendments to the Articles of Confederation. Fifty-five delegates from twelve of the thirteen states attended this meeting in Philadelphia. (Rhode Island did not send delegates to the convention.) This gathering became known as the Constitutional Convention, because once assembled most of the delegates agreed that what was needed was an entirely new structure for the national government. They proceeded to draft the United States Constitution. Although most of the delegates agreed on a need for a new system of national government, there were many issues that they did not agree on. At times, the disagreements were so serious that the success of the convention was threatened.

In the following activity it will be your job to resolve an issue on which delegates from the states disagreed because the interests of the states they represented were different. The disagreement related to how the new government's legislature should be structured.

One side supported what was called the Virginia Plan. The other side supported what was called the New Jersey Plan. The principle difference between the two plans had to do with the structure of the legislative branch and found the larger states at odds with the smaller states.

The Virginia Plan provided that the legislature would have two houses. Members of the House of Representatives would be elected directly by the people of each state, while members of the Senate would be selected by the House of Representatives from lists of persons provided by each state. In both the House and the Senate, the number of representatives for each state would be based that state's population. The New Jersey Plan provided that the legislature should be comprised of only one house and that each state would be equally represented in that house.

Your assignment is to act as a delegate from one of the states present at the convention, the interests of which you are pledged to represent. You have been provided population statistics for each state based upon census figures from 1790. Consider these figures when determining the interests and position of your state.

| Population Figures from 1790 Census | |
|--|-------------------|
| State | Population |
| Connecticut | 237,946 |
| Delaware | 59,096 |
| Georgia | 82,548 |
| Maryland | 319,728 |
| Massachusetts | 378,787 |
| New Hampshire | 141,885 |
| New Jersey | 184,139 |
| New York | 340,120 |
| North Carolina | 393,751 |
| Pennsylvania | 434,373 |
| South Carolina | 249,073 |
| Virginia | 691,737 |

Assignment

1. Figure out whether it is in the interest of your state for your delegation to support the Virginia Plan or the New Jersey Plan. Why have you decided the way that you have?
2. Reach an agreement, if you can, with the delegates from the other states. Nine of the thirteen states will have to approve the new constitution in order for it to go into effect. Therefore, to reach an agreement, assume that you need at least nine votes. If you fail to reach an agreement, there will be no new constitution and the future of the American nation may be in jeopardy.

Activity 2 — Item C3

**BIG VS. LITTLE
OBSERVER WORKSHEET**

1. Did students figure out that the difference between the large and the small states were over representation in the new Congress? It was in the interest of the larger states to have the number of seats based on population. It was in the interest of the smaller states to have each state represented equally. How did students decide on their state's interests and a position? Did students divide into two blocs—a Virginia bloc and a New Jersey bloc?
2. In deliberating, what arguments were made on the merits by the larger and smaller states? Was anyone persuaded?
3. Did the students try to negotiate, and were any compromises suggested and/or adopted?
4. What votes were taken, and for what purposes?

Activity 3 — Item D1

DIFFERENCES AND SETTLEMENT IN THE LEGISLATIVE BUDGET PROCESS LESSON PLAN

Lesson Goal

What is often important in a legislative body are not differences over an issue or policy, such as abortion, guns, capital punishment, or environmental regulation. What is important are priorities or choices among items that nearly everyone favors. Differences among priorities, among goods (that is, items that legislators are positive about) are common in the legislature's appropriations process by which a budget for the state is adopted. The most important questions involve whether to spend more on health programs, or more on correctional programs, or more on whatever. This activity is designed so that students can see these differences for themselves and better understand the deliberations, negotiations and settlements that occur in the legislative process all the time.

Objectives

1. To understand and appreciate a few of the basic practices of democracy:
 - That people have different values, interests and opinions.
 - These differences are often settled by means of deliberation and negotiation, with compromise and a majority vote as key elements.
2. To explore differences often confronted by state legislatures when enacting a state budget.

Concepts

Deliberation: A conversation by two or more sides on an issue in which each side tries to persuade the other of the merits of its position, and each side is generally open to persuasion.

Negotiation: This practice does not involve the substantive merits of the issue, or one side convincing the other that it is right. Rather, negotiation is an activity in which two sides with different positions try to resolve their differences by a variety of techniques such as compromise.

Decision: Whether deliberations and/or negotiations are used to reach a settlement, it is necessary to know when that settlement has been reached. In democratic politics that normally means voting.

Materials

Dividing up the Pot: A description of the activity, directions for teachers and handout for students. (Item D2)

Preparation

Arrange the classroom in a roundtable or similar fashion. Allow subcommittee members to sit near one another. You will want to position yourself at a key point, since you will be presiding over the full committee meeting and will be facilitating the budget discussion.

Activity

1. Allow students time to read over the student handout and address any questions. (10 minutes)
2. Review the directions and assign student roles. (2 minutes)
3. You might want to provide students with a couple of minutes to clarify their position on the subcommittee they have been assigned. (5 minutes)

4. Call the budget meeting to order and facilitate the discussion. (20 minutes)
5. If more time is necessary, allow students to continue to deliberate after class and into the next class period. This will not only provide you with the extra time needed, but will allow the students to experience many of the informal discussions that are part of the negotiations process.
6. As you will be facilitating the discussion, it would be difficult to take notes with an observer worksheet form. Observe the process, making mental notes of deliberation, negotiation and settlement.
7. Debrief the activity using the questions for debriefing (below).

Debriefing Questions

The main questions to be addressed in this activity's debriefing are:

- (1) Did the subcommittees try to reach consensus on what their positions would be before the full committee undertook its discussions?
- (2) If so, what did each subcommittee initially decide to advocate?
- (3) Or did the full committee first decide whether to increase the sales tax or cut the budget or do both? How was that decision reached? What part did deliberation, negotiation, and compromise play? Were votes taken? What were they?
- (4) If cuts were required, how did the appropriations committee decide which areas to cut and how much to cut from each? What part did deliberation negotiation, and compromise play here? Were votes taken? What were they?
- (5) What, then, was the final settlement?
- (6) How did the students feel about the process? Was it fair? Was the settlement fair?

Activity 3 — Item D2
DIVIDING UP THE POT
STUDENT HANDOUT

In your state legislature the appropriations committees have to decide on the state budget for the following year, and then make a recommendation to the house and senate. You will adopt the role of a member of the house appropriations committee and serve on one of the committee's four subcommittees—health, education, welfare, and homeland security, which together comprise the full committee. Each subcommittee has control over the budget in its designated area.

These four subcommittees have requests from the governor for expenditure increases of \$1 billion over the previous year's budget, mainly because of important new programs that are being undertaken in each of these areas. Below are descriptions of the expenditure requests for each of the subcommittees.

Health Subcommittee

\$300 million in new funds for two programs—prescription drugs for senior citizens and pre-natal care for young mothers. The public supports both initiatives.

Education Subcommittee

\$300 million increase for pre-school programs throughout the state, but with priority to special needs schools in cities and communities where children have not performed well in school. Research has demonstrated that early intervention has positive results. Polls show public support for these programs.

Welfare Subcommittee

\$200 million more after a number scandals involving the abuse of children under the overall management of the state division of youth and family services and after its programs have been found to be failing. A study done by a special commission recommends a reorganization of the division, additional caseworkers, closer monitoring, and a system of summer camps. These recommendations, polls show, have substantial public support.

Homeland Security Subcommittee

\$200 million additional funding is required to get started on increased security in the state. According to a study completed by a blue-ribbon commission, federal aid and federal programs are insufficient for the potential threats facing the state. Bridges, tunnels, and highways, need substantial improvements in security. A plan has been adopted; now it is necessary to implement the plan. Support is widespread.

The problem, however, is that the budget which, according to the state constitution, must be in balance, is facing a shortfall because of the economic recession. Tax revenues are down and either budget expenditures will have to be cut or taxes increased, or some combination of the two. The appropriations committee has to cut or raise \$500 million. Cuts can be distributed to one, two, three, or all four of the subcommittees. Increasing the sales tax by two pennies on the dollar will raise the \$500 million necessary to balance the budget. Increasing the sales tax by one penny on the dollar will raise \$250 million, or half of what is needed to balance the budget. It should be noted, however, that a recent statewide public opinion poll showed a clear majority against any tax increase. A sales tax increase fared best, but still 60 percent opposed it, only 25 percent supported it, while the remaining 15 percent were undecided. The only taxing option to be considered in this activity is an increase in the sales tax.

Your teacher will act as the chair of the appropriations committee during the discussion of how to balance the budget. During the committee meeting, the chair may permit the subcommittee members to caucus and decide on subcommittee positions. During the meeting, committee members may speak or make motions only when they are recognized by the chair. Remember, each of the four subcommittees must defend its programs, but the full committee must reach a settlement that results in a balanced budget.

The alternatives are:

- (1) Raise the sales tax by two pennies, so no cuts are necessary;
- (2) Raise the sales tax by one penny, so \$250 million has to be cut.
- (3) Do not raise the sales tax, so \$500 million has to be cut.

Under (2) or (3) a decision has to be made as to how much to cut from each subcommittee's expenditures for the specified new programs.

Although the teacher will be chairing the full committee, students may engage in the discussion, introduce motions, or request a recess to try to negotiate an agreement.

Item E
WRAP-UP SESSION
THE FUNDAMENTALS OF AMERICAN DEMOCRACY
LESSON PLAN

Lesson Goal

This 45-minute session provides for clarification and reinforcement of the concepts the students have learned from engaging in the three (or two activities). It also provides an opportunity to extend the lesson.

Lesson Objectives

1. To understand and appreciate a few of the basic practices of democracy:
 - That people have different values, interests and opinions.
 - These differences are often settled by means of deliberation and negotiation, with compromise and a majority vote as key elements.
2. To consider alternative forms of government and assess the pros and cons of several forms of government.

Discussion Guide

The wrap-up session is a teacher-led discussion focusing on two main ideas: what have students learned from the preceding activities and what are the alternatives to democracy? Use the following points and questions as a guide in leading the discussion.

What have students learned?

Ask students what they have learned from the activities and discussion. Here are some of the more important things we would expect them to learn. If they are not mentioned, you should bring them up and see how students respond.

- (1) In a diverse nation people have different values, interest, priorities, and opinions.
- (2) It is not easy to settle differences, even on simple issues in one's personal life.
- (3) It is even more difficult to settle differences in public life, and in Congress or the state legislature, where conflict among ideas and proposals is normal and desirable. Moreover, in Congress and state legislatures, members are not only deciding for themselves, they are also trying to represent constituents—which further complicates matters.
- (4) Legislatures work at settling conflict—mainly by means of deliberation on the substantive merits of different positions, but also by negotiation and compromise. Some differences are more difficult to negotiate and reach a compromise on than are others.
- (5) Decisions are usually arrived at by votes, with a majority prevailing. On a single measure on its way to enactment in a legislature, votes may be taken on the bill itself and on amendments to the bill—in subcommittee, in full committee, and on the floor in both the senate and house.
- (6) All of this helps explain why the legislative process is contentious and slow-moving. Building majorities can be a tough and lengthy process.

What are the alternatives?

One way to explore whether representative democracy—with all of its disagreements and deliberation and negotiation and compromise and vote after vote—works is to look at alternative ways of reaching settlements.

We start with the fact that in this diverse nation (as well as in diverse states and diverse communities) people have different values, interests, priorities, and opinions.

These differences cannot be controlled. In *The Federalist No. 10* James Madison recognized the danger of factions in America. By factions, he meant a number of citizens whose interests were adverse to the “permanent and aggregate interests of the community.” What we are suggesting here, however, is that Americans do not agree on what the permanent and aggregate interests of the community are, except at the most general level. In any case, Madison acknowledges that there is no way to cure what he refers to as the “mischief of faction.” To remove its causes would require either destroying liberty or giving “every citizen the same opinions, the same passions, and the same interests.” The first remedy is worse than the disease, the second remedy is impracticable, according to Madison.

Assuming, then, that different values, interests, and opinions are natural, the question is what kind of political system would work best at handling such differences. The following are questions that can help guide a discussion of the alternative forms of government based on the students’ experience in the activities.

- (1) Instead of requiring students to agree on a choice of restaurant, would it have been better for the principal to have decided on his/her own? What kind of political system would that type of decision-making fit in with? What are the advantages and disadvantages of an autocratic political system?
- (2) Instead of having nine states come into agreement, what might have happened if only seven states had agreed on the issue of representation? Or six? Might the effort to draft a new constitution have failed? Are there times when an extraordinary majority is needed? What actually did happen at the Constitutional Convention and how specifically was the representation issue settled? What do students think of the actual settlement?
- (3) Why shouldn’t states submit the budget questions to a vote of eligible voters? Let the people decide. This would be a manifestation of direct democracy, rather than representative democracy whereby people elect legislators whose job it is to represent the interests of their constituents and constituencies. What would be the benefits of direct democracy, with referendums on the budget as well as on other issues? What would be the disadvantages?
- (4) Finally, what system, if any, would students prefer to that of representative democracy, whereby the Congress and state legislatures serve as a mechanism by which disagreements are talked out, worked out, or fought out (with the majority prevailing through its votes)?

ITEM F
TEACHING DEMOCRACY APPRECIATION
APPLYING THE LESSON OF DEMOCRACY APPRECIATION

The simulations in the “Teaching Democracy Appreciation” lesson developed for the National Conference of State Legislatures, the Center for Civic Education, and the Center on Congress at Indiana University) are designed to teach high school students the following:

- (1) People in the nation, states, and even localities do not agree on many matters. They have different values, interests, and priorities. This is what is to be expected and welcomed in a diverse democracy.
- (2) Legislators and legislatures express the different and sometimes conflicting values, interests, and priorities of the people they represent. They try to reach settlements by means of study, deliberation, negotiation, compromise, and majority votes. Reaching settlements is difficult.
- (3) Even when people generally agree on programs and services they deem desirable the resources to pay for them may be scarce and people may not be willing to pay additional taxes to increase available resources.
- (4) Legislatures have to figure out how to allocate public resources, how much to allocate, and who will be taxed and how much they will pay. Deciding such issues, in the context of being responsive to what people need and want is difficult.

After the student dinner simulation and the legislative appropriations committee simulation, students should be able to appreciate that legitimate disagreements exist and that it is no easy matter for legislatures to work them out.

To reinforce and extend the lesson, bringing it closer to the real world of representation and decision making, students can invite a member of the local council or government body or a member of the state legislature to respond to questions at a class session. The questions ought to be mailed to the local or state legislator in advance, along with the invitation to visit with students who are studying the principal elements of representative democracy.

The purpose of these questions is *not* to learn the legislator’s views on the issues or about the job of the legislator. Rather, the purpose is to focus on the most significant issues the state or local legislature handles, the extent and nature of public disagreement on each of these issues, the ways in which the state or local legislature tries to reach a settlement, and the outcome.

Therefore, the major questions that students have to address to legislators are the following:

- (a) What are two, three, or four of the most important issues that came up in the legislature (council) during the past year or so?
- (b) Were people in the state (or locality) divided on the issue or did just about everybody agree?
- (c) Which groups were on each side of the issue and why?
- (d) What were the arguments made by each side?
- (e) Was the legislature (council) also divided? If so, along what lines?
- (f) How did the legislative body try to settle the issue?

(g) What, if any, settlement, was reached? Was there a compromise? Did one side win?

It is important that students maintain their focus (and that of the legislator guest) on important issues, disagreements, and whether and how conflict got worked out. Students are encouraged to ask follow-up questions or probes, but they should make sure that they cover the principal points in the limited time available.

After the session with the legislator guest, each student ought to write an essay discussing how the application tied into the simulations and what he/she learned from the entire lesson. These essays are worth discussing in a class period (either before or after the teacher has read them).

If the Democracy Appreciation lesson and the application are used together, the entire lesson (excluding the simulation on the Constitutional Convention) can be covered in four 45-minute class periods, as follows:

- (1) Student's dinner simulation and brief discussion.
- (2) Legislative appropriations committee simulation and brief discussion.
- (3) Structured class interview of legislator guest.
- (4) Discussion of lesson on Democracy Appreciation, including this application.

Inviting a Wyoming Legislator to Your Classroom

If you would like assistance in arranging for a Wyoming legislator to visit your classroom, please contact Riana Davidson, at the Wyoming Legislative Service Office, at (307) 777-7881 or by e-mail at Riana.Davidson@WYOLEG.GOV