

Unit 2: Inquiry Guide Activity

Strategy: Explore

Students access primary-source documents via various analysis methods, allowing them to explore constitutional principles.

Description

In this lesson, students will explore why the Framers settled on the Three-Fifths Compromise in the U.S. Constitution for representation in the lower house and taxation. Students will analyze the Three-Fifths Compromise as well as Federalist 54.

Utilize this Engage strategy activity to enhance students' understanding of the *We the People: The Citizen & the Constitution* textbook for Level 3, Unit 2, Lessons 10 and 12, or Level 2, Unit 3, Lesson 14.

Alignments

Center for Civic Education

We the People: The Citizen & the Constitution (Level 3)

- [Unit 2, Lesson 10](#): Why Was Representation a Major Issue at the Philadelphia Convention?
- [Unit 2, Lesson 12](#): How Did the Delegates Distribute Powers between National and State Governments?

We the People: The Citizen & the Constitution (Level 2)

- [Unit 3, Lesson 14](#): How Did the Framers Resolve the Conflict between the Northern and Southern States?

Civic Skills & Dispositions

- Active learning
- Attentiveness to political matters
- Corroboration
- Critical thinking
- Incorporating evidence
- Political tolerance
- Primary-source analysis
- Reading
- Relationship skills
- Writing

Lesson Objectives

- Identify the Three-Fifths Compromise in the U.S. Constitution
- Examine the Framers' debate about representation
- Analyze primary-source documents on the Three-Fifths Compromise

Lesson Assessments

- Use the [Exit Ticket](#) to answer our inquiry question



Inquiry Compelling Question

- Could the Constitution have been drafted without the Three-Fifths Compromise?

Texts / Materials

- [Unlocking Article I, Section 2](#)
- [Three-Fifths Compromise: Black History Month, Part 9 \(Video\)](#)
- [Federalist 54 Excerpt](#)
- [Federalist 54 Summary Answer Key](#)
- [Exit Ticket](#)
- *We the People: The Citizen & the Constitution* textbook

Vocabulary

- **apportioned** To divide and share according to a plan.
- **suffrage** The right to vote.



Teacher Background

***Note:** This lesson contains material about slavery and racism that some students might find offensive or potentially traumatizing. Students may struggle with the concept of three-fifths; therefore, it is best to explain that three out of every five people (not three-fifths of a person) were counted for purposes of representation and taxation. This material has been included to provide students with an account of the Constitutional Convention debates and the formation of the U.S. Constitution. A culturally responsive classroom will provide a welcoming and safe environment where students feel comfortable discussing difficult topics. Ensure that students feel comfortable sharing appropriate personal perspectives. Consider establishing classroom norms that encourage discussion.*

When the Framers met in Philadelphia at the Constitutional Convention to revise the Articles of Confederation, they ultimately decided to throw the Articles out and start over in favor of a stronger governmental system than they had first created. The first big debate was over the creation of the legislature. Would representation be proportional, as suggested in the Virginia Plan, or equal, as proposed in the New Jersey Plan? How to count enslaved populations as a part of a proportional system became a central part of this debate.

The idea of a Three-Fifths Compromise had been introduced when trying to amend the Articles for taxation purposes in 1783, but this move failed. It was again discussed in the debate as a compromise for representation and taxation. Simply put, the Three-Fifths Compromise stated that three out of every five enslaved persons would be counted when determining a state's total population for legislative representation and taxation.

In this lesson, students will examine the original wording of the Constitution and participate in a close reading activity to gain a deeper understanding of how and why the Three-Fifths Compromise became the tool for determining representation and taxation in the new nation.

Additional resources for teacher background include the following:

- [Three-Fifths Compromise: Black History Month, Part 9](#) (Video)
- [What Were the Most Prominent Elements of the New Jersey Plan and Alexander Hamilton's Plan?](#) (Video)
- [The Virginia Plan](#) (Video)

Teachers should preview all student materials and resources before the lesson.



Steps to Implement

Part 1

1. Welcome students to social studies.
2. Introduce the inquiry question: “Could the Constitution have been drafted without the Three-Fifths Compromise?”
3. Allow students time to make a prediction about the inquiry question and offer their own supporting questions.
4. Facilitate a brief discussion by asking the following questions:
 - What is a representative government?
 - Possible responses may include the following: Representative government is a form of government in which elected officials will represent, lead, and act on behalf of the citizens of a distinct community, such as a nation. The elected officials, chosen by the voters, will lead the government based on the concerns and opinions of the citizens of their community.
 - Can you identify examples of representative government in your life?
 - Possible responses may include the following: local or state Board of Education, student council, class representative, county council, Boy/Girl Scout troop leader.
5. Tell students they will begin investigating the Framers’ ideas about representative government by exploring several primary-source documents.
6. Distribute the [Unlocking Article I, Section 2](#) organizer, and review expectations for completion.
7. As a class, read Article I, Section 2 as a class.
8. Have students write what they believe Article I, Section 2, says in their own words in the box provided. Coach students to use context clues within the passage related to representative government.
9. Working in trio teams, students will share their rephrased statement and then discuss the article's purpose to complete the final box together.
10. Play [Three-Fifths Compromise: Black History Month, Part 9](#) on the Three-Fifths Compromise. As students watch, they should listen for the Three-Fifths Compromise. Tell students that this will serve as a way to corroborate their original interpretation of the [Unlocking Article I, Section 2](#) organizer.
11. Consider sharing the video a second time to ensure students can identify the reasoning behind the clause to create proportional representation in the House of Representatives and pause to observe the graphic that shows three out of five people would be counted.
12. Ask students if the purpose they identified in their group discussions matches that of the video. Clear up any misunderstandings as needed. They may be confused because the video only mentions representation and not taxes. Ensure students also identify in their groups that the clause was used for representation and taxes.



Part 2

13. Conduct a close read of [Federalist 54](#). A close-reading activity encourages students to focus on what the author says, what the author's purpose is, and the words' meaning.
 - Note: Explain to students that Federalist 54 is a primary source document, written using the acceptable language of the time. Today, we would replace the word 'slave' with 'enslaved person' to honor the human life of that individual.
14. Share the following background with the students:
 - The Federalist Papers were written under the collective pseudonym of Publius by James Madison, Alexander Hamilton, and John Jay in defense of the ratification of the U.S. Constitution in New York. Federalist 54 was published on February 12, 1788, and is said to have been written by either Madison or Hamilton to explain why the Three-Fifths Compromise was needed for representation and taxation.
15. For the first round of close reading, the teacher should read the text out loud while students follow along.
16. For the second round of close reading, students will annotate the text using the symbols in the Annotation Station, including the following:
 - ○ Circle words you don't know, and take a moment to find the definition.
 - Highlight in **YELLOW** phrases that confuse you. Use context clues to try and figure out their meaning.
 - Highlight in **GREEN** examples of the author's claim as to why the Three-Fifths Compromise was required.
 - ☆ Star the items that make you wonder and wish to explore further.
17. Model sections 1 or 2 for the whole class before having students finish the rest of the text. Students can work in teams of three for additional support if needed.
18. For the third round of close reading, have students summarize each section of Federalist 54 in their own words. Model sections 1 or 2 for the whole class before having students finish the remaining sections. Students can work in teams of three for additional support if needed.
19. Provide students an opportunity to debrief Federalist 54 by sharing their summaries. An [answer key](#) has been provided.
20. Facilitate a class discussion by asking the following questions:
 - Did the Three-Fifths Compromise create an imbalance in power among the states?
 - Possible responses may include the following: Pro-slavery states had a disproportionate influence on the presidency, the Supreme Court, and other positions of power.
 - Ultimately, which group of individuals were disenfranchised due to the Three-Fifths Compromise?
 - Possible responses may include the following: People of African descent who were enslaved were disenfranchised.



- Why do you think the Three-Fifths Compromise purposefully does not mention the word *slavery*?
 - Possible responses may include the following: While many Framers were enslavers themselves, they did not want the term to be included in the Constitution. However, many provisions were put into place to protect the institution of slavery, such as the Three-Fifths Compromise.
- Who benefited from the Three-Fifths Compromise?
 - Possible responses may include the following: Pro-slavery states benefited, as they could include enslaved people in their population counts, and in turn, this calculation would give them more seats in the House of Representatives and thus more political power.
- Do the ideas of the Three-Fifth Compromise influence representation today?
 - Possible answers may include the following: Gerrymandering, voter suppression, the undercounting of undocumented individuals in Census data, and the disenfranchisement of incarcerated individuals.

Formative Assessment

Students will demonstrate their mastery of the debate on the Three-Fifths Compromise by completing an [Exit Ticket](#) to answer our inquiry question: “Could the Constitution have been drafted without the Three-Fifths Compromise?”
