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Sample Professional Development One Day Workshop: Putting The Writing To Learn And Writing To Read Practices Into Action:

Note: Considering lesson planning in connection with this workshop, tell the participants that the students should have, the day before this workshop, spent a session on the Preamble, and Articles 1, 2 and 3 of *The United States Constitution*. They should be familiar with definitions of the legislative branch, the executive branch and the judicial branch and with the concept of the Federalism generally.

While this workshop was presented to high school and middle school teachers of ELA, History and Social Studies, it can be adapted for use by students. The teacher can decide on the amount of time for each “practice”. Typically each workshop lasts approximately 90 minutes, but the time can be altered depending upon the class-time or workshop-time allotted.

WORKSHOP I: The Federalist No. 78 (Hamilton on the Judiciary) (Approximately 90 minutes)

Text: Excerpts from *The Federalist No. 78* (1788) (Alexander Hamilton on the role of the judiciary)

Focus Free-write #1: Who are you as a teacher (or student) of social studies, American history, or government. Where in teaching the U.S. Constitution and the court system do you feel most challenged? Where in your curriculum do you teach about justice?

Focus Free-Write #2: What comes to mind when you hear the word “justice”? What are your first thoughts on why an “independent” court system might be so important? What is the opposite of an “independent” court system?

Hear these. Follow the readings by participant introductions.

Hand out excerpted *Federalist No. 78* (1788) Mention that you might need to give an introduction to your students about what the Federalist Papers were. Briefly, the Federalist Papers are series of papers written by James Madison, Alexander Hamilton and John Jay to try to convince the people of the State of New York to replace the existing Articles of Confederation, and to ratify the United States Constitution.

Read PPS of Federalist # 78 1-3 to yourselves, then read it out loud going around the room (“Quaker” or “Popcorn” style)

Focus Free Write #3: Now look back over the text. What can you imagine would be the hardest thing for your students about reading and understanding this? (Or, if a student: What is the hardest thing for you about reading this? Language? Not knowing the History? Etc.)

Share what you have written. The leader of the workshop shares as well.

Dialectical Notebook:

As described above, “dialectical notebook” is very effective for helping students grapple with texts that are difficult, either because of their style, or content, or both. *The Federalist Papers* is difficult on many levels (its historical context; its formal style; its language; its subject-matter), yet a mastery of it is key to a fundamental understanding of our Democracy. In our experience, the dialectical notebook exercise is helpful here.

Describe the practice as follows:

Half the room takes paragraph 2 of *The Federalist* excerpt:

Half the room takes paragraph 3 of *The Federalist* excerpt:

Break up the room into pairs.

Instruct the students to divide their paper into three columns. In the first column, explain in writing something about this paragraph that you understand, or generally makes sense to you. Below that, on the same column, copy down something in the paragraph that you don't understand. See if you can say why you don't understand it. Then below that, quote something in the paragraph that intrigues you, whether you understand it or not. Try to say in writing why it intrigues you.

Once you have done that, pass the sheet of paper to your partner. Your partner will respond in the middle column. Any response is fine, although it's always nice when the partner tries to “explain” back to their partner, if they think they can. Now pass back to you again. Respond to your partner.

In general, you will have approximately 45 minutes for this exercise total, although of course this can be adjusted in accordance with the parameters of your workshop. As a general guideline, you will give approximately 5 minutes for each initial question x 3 = 15 minutes for the first column; then 5 minutes to respond to each question in the second column (15 minutes); and approximately 5 minutes to respond back in the third column.

When you are done with this exercise, have each pairing read a thread of their “dialectical notebook”: Was there a conversation between the two of you? What was it?

PROCESS: Did this help you understand the text more? Why or why not?

Share out loud.

Final focus free-write. (This can be helpful as a way for students to see how much their understanding has evolved during the course of this exercise):

What does Hamilton (Federalist #78) mean when he says that “there is no liberty if the power of judging not be separated from the legislative and executive powers?”

What would happen if the judiciary were not so separated, in Hamilton’s opinion? In your opinion?

Share what you have written.

Workshop II: *The People vs. Lemmon* (approximately 90 minutes)

Texts Used:

The People vs. Lemmon (1852); *New York Times Op-Ed on Lemmon Case* (1860); *The Fugitive Slave Act of 1850*

(The week before, students will have been asked to read *The People vs. Lemmon* and attempt a one paragraph summary of the main point. This will be challenging for many students, and time can be set aside every day to work on this in class.)

Brief Summary of the Lemmon Slave case: In November 1852 eight people held in slavery were taken by their “slave master” (Jonathan Lemmon) from Virginia through New York, *en route* to Texas. While in temporary boarding in New York awaiting transfer to the boat headed for Texas, a freed black man (Louise Napoleon) obtained a *writ of habeas corpus* demanding that the slaves be released and freed. Ruling on Napoleon’s petition for habeas corpus, the New York Court held that under New York law “No person held as a slave shall be imported, introduced, or brought into this state on any pretense whatsoever” and that in the absence of any positive law explicitly mandating otherwise, the slaves must be freed. This case was exceptional and noteworthy in large part as the *Fugitive Slave Act of 1850* had explicitly required citizens of non-slave states to participate in the return of all escaped slaves.

Instructor asks someone to read aloud their brief summary of the Lemmon Case.

Write “first thoughts” about the case.

Share.

Text Rendering: Read out loud, going in a circle or “popcorn-style” the New York Times article from 1860. (In brief, this article criticizes the *Lemmon* case, arguing that the Judges in rendering their decision had improperly substituted their judgment for that of the legislature.)

The first reading is rendered as though the reader(s) believes fully in the language. The second reading is rendered as though the reader(s) are full of doubt or ambivalence.

During both readings, everyone should underline language that strikes them as important.

Now, translate one of the pieces of language that you underlined into twenty-first century language (English, Spanish, tweets, talk show etc.). Then, write in response to it.

Text explosion. Instructor re-reads the 1860 article out loud. When we get to the line the student translated, the instructor interrupts, repeating the original line, then their translation of it, then some portion of the student's free write/response to it.

Believe and Doubt. Instructor reads this out loud: The editorial argues that the court has wrongly "arm[ed]" judges with the legislative power, because the decision was made not on law but rather on the judges' own notions of "justice and comity." The students are then asked to write in response to that claim: One thing they "believe" about that claim, and one thing they "doubt" about it.

Everyone shares some of what they have written.

Process Write.

How did your writing change your understanding of judicial power during this workshop? How does this affect your feeling about the importance of an independent judiciary?

Share your writing.

Workshop III

In the final workshop of the day, we sent the teachers from Rochester off with some additional texts to prepare their own "sample lesson plans."

Additional texts used:

Preamble to the US Constitution

July 14, 2009 "Op. Ed." from Justice Sonia Sotomayor

June 2, 2009 Wall Street Journal Opinion from President Barack Obama on his vote against Justice John Roberts nomination to the United States Supreme Court

Instructions provided to the teachers were these:

Look over your writing from the day.

Break up into manageable "working" groups.

Using the additional texts provided, texts from the anthology and the practices that you have done today, work in groups come up with a 45 minute (or a time period that works for them at their school) lesson plan.

Consider in your planning: How might you make this relevant to our current political climate and any political crises facing the country?

Come back and share your plan. Maybe ask us to do your plan as a group.

Lesson plan presentations and concluding discussion:

Final Questions:

Focus Free-write or Discussion, depending:

What did you notice in your own collaboration that might inform problems or solutions to how your students collaborate?