

West Virginia Studies Resource Development

Title of Lesson: The Constitutionality of West Virginia Statehood
Grade level: 8th Grade
Summary: The debate over the constitutionality of West Virginia statehood was very heavy, and arguably still continues today. Through this lesson, students will research the method of a territory becoming a state, examine West Virginia's experience in the endeavor, and participate in a class wide debate on whether or not the creation of West Virginia from Virginia was constitutional or not.
WV CCR Social Studies Standards: SS.8.22: Demonstrate an understanding of the American Civil War including its causes, effects and the major events that led to West Virginia statehood. <ul style="list-style-type: none">• Explain the effect of key events leading to western Virginia's separation from Virginia after secession (e.g., First and Second Wheeling Conventions and John Brown's Raid).• Describe the moral, ethical and legal tensions that led to the creation of the new state of West Virginia and how these tensions were resolved (e.g., Virginia vs. West Virginia 1871).• Compare and contrast the military strategies of the North and South with regard to specific events and geographic locations in West Virginia (e.g., the Battle of Philippi, Rich Mountain, Droop Mountain, Battle of Scary Creek and Battle of Carnifex Ferry).• Identify significant contributions of men and women of West Virginia during the Civil War and identify the roles of ethnic and racial minorities.
Essential Question (content): <ul style="list-style-type: none">- How is a new state created in the United States?- What made the creation of West Virginia so controversial at the time?- Was the creation of West Virginia unconstitutional?
Students will be able to do (skills): At the culmination of the lesson, students will have an understanding of the statehood process as outlined in the United States Constitution. Students will also complete research to develop a persuasive argument in order to participate in a class wide debate on the constitutionality of West Virginia statehood.
Materials & Resources: <ul style="list-style-type: none">- Article on the Formation of West Virginia from the West Virginia Encyclopedia https://www.wvencyclopedia.org/articles/2034- "Statehood for West Virginia: An Illegal Act?" http://archive.wvculture.org/history/journal_wvh/wvh30-1.html- "Is West Virginia Constitutional?" https://prologue.blogs.archives.gov/2010/11/08/is-west-virginia-constitutional/- U.S. Constitution Article 4, Section 3 Bell Ringer Worksheet- Laptop Computers/Computer Lab

Learning Plan:

1. Students will begin the lesson by completing the primary source analysis bell ringer worksheet on Article 4, Section 3 of the U.S. Constitution. Students will then discuss their answers and identify a theme for the lesson.
2. Students will be preparing for a debate on the constitutionality of statehood. Students will be divided into 2 groups, one opposing statehood and one supporting statehood.
3. Students will be given copies of the articles listed above addressing the constitutionality of West Virginia statehood. Students will also use their textbook and the computers to research additional information to support their arguments.
4. Once students have had enough time to prepare their arguments, the class will participate in a class wide debate on the constitutionality of statehood. Students will take turns presenting arguments for or against the admittance of West Virginia.
5. The instructor will mediate the debate and make sure students remain professional and do not get heated in the conversation.
6. At the conclusion of the class debate, the instructor will summarize the main points made by both sides on the board in front of the class. Students will discuss the merits of the arguments made and consider a final opinion on the debate over statehood.
7. To conclude the activity, students will complete an exit ticket worksheet detailing their personal belief about the constitutionality of West Virginia statehood. Students will be required to vote for or against statehood and provide supporting reasons for their answer.

Checking for Understanding:

Student comprehension of the lesson will be determined through a number of methods. Students will demonstrate their ability to analyze a primary source document through the completion of the bell ringer exercise on the U.S. Constitution. Additionally, students will demonstrate their comprehension of the debate over statehood and the controversy of West Virginia's admittance to the Union through their participation in the class wide debate, as well as their individual completion of the exit ticket.

Accommodations:

Accommodations for this lesson may include providing students with additional resources regarding arguments over the constitutionality of West Virginia statehood. Students may also be given a list of points to consider or research in preparing for their debate in order to assist in guiding their learning during the activity. Higher level students could complete an exercise in which they are asked to write a letter to President Lincoln urging him to admit West Virginia as a state or deny the application of the new state. Students would be required to support their arguments to Lincoln with text evidence from the Constitution and other primary sources.

Name: _____ Date: _____

US Constitution Primary Source Analysis Bell Ringer

Directions: The United States Constitution includes language considering the creation of a new state from within the boundaries of an existing state. Below is the portion of the Constitution which addresses this. Read Article 4, Section 3 of the U.S. Constitution, and then answer the questions below in complete sentences.

U.S. Constitution – Article 4, Section 3

New States may be admitted by the Congress into this Union; but no new States shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

1. Why do you think the authors of the Constitution included rules on creating new states?

2. Are the rules for the admittance of a new state clear? What part of the rule could be debatable?

3. How might the above section of the Constitution create a debate over West Virginia’s statehood?

Name: _____ Date: _____

Constitutionality of West Virginia Statehood – Exit Ticket

1. Do you feel that the creation of West Virginia was constitutional?

Yes _____ No _____

2. Provide two reasons for your answer.

Name: _____ Date: _____

Constitutionality of West Virginia Statehood – Exit Ticket

1. Do you feel that the creation of West Virginia was constitutional?

Yes _____ No _____

2. Provide two reasons for your answer.
