

Pinning Down the Constitution:  
An Interactive Way to Teach Congress's Power, Federalism, and Constitutional Interpretation

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## Abstract

*“Pin-the-Tail-on-the-Constitution” is a mini-simulation devolved to harness the benefits of problem-based learning while pushing past the barriers that typically prevent implementation of active learning. This learning activity has been conducted in twenty-three classes over the past four years. The simulation teaches multiple themes commonly included in a variety of courses on American politics such as federalism, congressional powers, the role of the federal courts, and the commerce clause. There are no complicated roles for students to learn or adopt, and the activity can be completed in less than a full class session even if little pre-activity preparation time is provided. This limited prep provides necessary time for other teaching and logistical requirements during the class session while providing ample time for debriefing and set up for the activity. This paper (1) sufficiently describes the simulation to allow immediate adoption by instructors teaching a variety of American politics courses; (2) explains the process of devising a mini-simulation, thus providing a narrative to help instructors devise their own mini-simulations; and (3) reports on student survey data that indicates a dramatic increase in student knowledge and understanding from participation in this activity.*

The intent of this paper is three-fold. First, this paper attempts to sufficiently explain “Pin-the-Tail-on-the-Constitution,”<sup>1</sup> a mini-simulation developed for teaching core components of U.S. Government. This paper’s description of the activity is intended to be sufficiently rich to allow instructors to readily adopt. Thus, this paper helps fill a need identified by the 2011 American Political Science Association’s (APSA) Teaching and Learning Conference: *to develop a series of ready-to-be-adopted simulation activities.*<sup>2</sup> As will be argued, such ready-to-adopt problem-based learning activities are especially lacking for classes in U.S. politics and face-to-face classes. Second, the description of this activity details an attempt to employ the components of problem-based learning in a minimally disruptive way; this activity was designed to take minimal preparation time by the instructor and students, and the entire activity was set up to be completed in only thirty minutes of class time. The description of this activity helps

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<sup>1</sup> I acknowledge this is a rather ridiculous name; however, it seems to help with student recollection of the activity and assists with comprehension of the game’s directions.

<sup>2</sup> Chris Stangl, Henrik M. Schatzinger, Christopher J. Schaefer and Ryan Emenaker, "Simulations and Role Play I: Track Summary," *PS: Political Science and Politics* 44 (2011): 664-665.

identify the core principles required for problem-based learning activities that can be universalized for future attempts to devise mini-simulations. Thus, this description should not only provide an activity that can be readily adopted it should also describe a process; this description should assist others in devising their own simulations. Third, this paper reports on student survey data that indicates a dramatic increase in student knowledge and understanding from participation in this activity. This increase in student knowledge, from participation in the activity, stands in stark contrast to the level of student learning achieved from reading a text and sitting through a classroom lecture. This data provides additional support to previous research demonstrating the advantages of problem-based learning.

In order to accomplish the three above objectives, this paper will first describe the benefits and the resistance to adopting problem-based learning. After this description this paper will detail my own experiences using an activity I call “Pin-the-Tail-on-the-Constitution” as an example of an activity that can harness the benefits of problem-based learning while moving past many of the obstacles.

### Problem-Based Learning—the Good, the Bad, & the Resistance

Problem-based learning, sometimes labeled active-learning or engaged-learning, can simply be defined as an interactive teaching method designed to harnesses humans’ innate ability and desire to solve problems.<sup>3</sup> Problem-based learning can take the form of: (1) games and simulations that include *role-play activities* where students are provided realistic situations and a cast of characters to act out, or (2) *case studies*, where students are presented a problem

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<sup>3</sup> Wilbert J. McKaechie, *Teaching Tips: Strategies, research, and Theory for College and University Teachers*, (New York: Houghton Mifflin Company, 1999), 376.

that has been addressed by scholars, researchers, or practitioners and asked to solve the problem while not adopting a character role.<sup>4</sup> Sands and Shelton cite that the use of problem-based learning techniques first became popular “in the 1960s as educational psychologist recognized” the ability of student-centered activities to boost cognitive absorption of knowledge.<sup>5</sup> As stated in Wilbert McKaechie’s *Teaching Tips* “cognitive theory provides support for the idea that knowledge learned and used in a realistic, problem-solving context is more likely to be remembered and used appropriately when needed later.”<sup>6</sup> Several papers presented at the APSA’s Teaching and Learning Conference since 2010 have indicated problem-based learning (typically in the form of role plays and simulations) leads to increased student motivation to learn, expanded retention of knowledge, and improved acquisition of higher level learning skills.<sup>7</sup> The 2012 APSA Teaching and Learning Conference Track Summary for “Simulations and Role Play I: American Politics and Institutions” noted that several papers presented at the conference emphasized the:

unique skills students acquire through simulations, the practical understanding of the political process not found in lecture-based courses, and the inherent connection between advancing technology and simulations, which leads to increased student interaction and learning outside of the classroom.<sup>8</sup>

Archer and Miller make the case that the use of active learning techniques in introductory political science classes has been shown to stimulate student interest in subject

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<sup>4</sup> Barbara Gross Davis, *Tools for Teaching*, (San Francisco: Jossey-Bass Publishers, 2001), 159-62.

<sup>5</sup> Eric Sands and Allison Shelton, “Learning by Doing: A Simulation for Teaching how Congress Works,” *PS: Political Science and Politics* 43 (2010): 133

<sup>6</sup> McKaechie, *Teaching Tips*, 181.

<sup>7</sup> See Jewel Maxwell, “Simulations and Role Play I: American Politics and Institutions,” *PS: Political Science and Politics* 45 (2012): 534-5; Stangl et al., “Simulations and Role Play I: 2011,” 664-5; and Sharon Jones, Mark Johnson, and Sharon Spray, “Track: Simulations and Role Play I,” *PS: Political Science and Politics* 43 (2010): 576-7

<sup>8</sup> Maxwell, “Simulations and Role Play I,” 534.

matter and attract majors to the discipline. Introductory political science classes, or “gateway classes,” are often students’ only exposure to political science. It is these classes that determine if students will become majors or take another political science class.<sup>9</sup> Inclusion of simulations in introductory classes could be important to the health of the discipline and to department budgets. Using teaching techniques that improve student learning, and spark student interest have important implications for the discipline, especially in gateway classes.

Despite the advantages of games, simulations, case studies and other problem-based teaching techniques, these activities often take a back seat to traditional lectures (sometimes referred to as “chalk and talk” lectures or the “sage on a stage” style of teaching). Archer and Miller’s review of nearly 500 syllabi from gateway political science classes noted only 14.7 percent indicated some version of active learning. In addition, this collection of syllabi on average only derived 12.8 percent of a student’s course grade from active learning activities. While this does not definitively show the percentage of course time dedicated to problem-based learning, it serves as a proxy “for instructor prioritization.”<sup>10</sup> As low as these overall percentages are, Archer and Miller’s study further indicates that the rate of inclusion of problem-based learning is even lower in American politics classes.<sup>11</sup> Their study also indicated face-to-face courses were more than three-times less likely to use simulations than on-line courses. Archer and Miller’s non-representative review of syllabi additionally indicated that active learning was less likely at public colleges and universities than private ones, and less

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<sup>9</sup> Candace C. Archer and Melissa K. Miller, “Prioritizing Active Learning: An Exploration of gateway Courses in Political Science,” *PS: Political Science and Politics* 44 (2011): 429.

<sup>10</sup> Archer and Miller, “Prioritizing Active Learning,” 431.

<sup>11</sup> In fact, Archer and Miller’s review of syllabi note that gateway international relations classes were nearly twice as likely to use these techniques as American politics classes. Archer and Miller, “Prioritizing Active Learning,” 432.

likely in courses with large class sizes than small or medium sized classes.<sup>12</sup> In summation, Archer and Miller's work indicates that problem-based learning is rarely used in gateway political science courses, and that face-to-face classes on American politics were the least likely of all to employ such teaching techniques. Since most college students attend public institutions, and most political science students are enrolled in large introductory American government classes, these trends imply the majority of political science students are excluded from active learning.

Various factors are cited for retaining traditional lecture-driven teaching methods. Some of the most commonly noted barriers to adopting active-learning techniques are the required time-investment for instructors and students, as well as insufficient access to necessary facilities. It is challenging and time consuming to translate real-world problems into simulations that students can work-out within the confines of class sessions and the semester calendar.<sup>13</sup> For instructors focused on research responsibilities or bearing a demanding teaching-load, it can be daunting to create case studies or to design simulations complete with character roles for students to adopt. The greater availability of pre-designed simulations for on-line and international relations classes may be partially responsible for the greater use of problem-based learning in these types of classes than the rate of use in face-to-face American politics classes. Without a cache of ready-to-be-adopted simulations, instructors are left to devise their own activities from scratch—a time consuming activity. Based on Archer and Miller's syllabi review, it appears many choose not to.

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<sup>12</sup> Archer and Miller, "Prioritizing Active Learning," 431-2.

<sup>13</sup> This could be why Archer and Miller's study of syllabi note that the private universities in their sample with a student /faculty ratio of 10.3 to 1 versus public colleges and universities with 16.9 to 1 were more likely to place more emphasis on active learning. Archer and Miller, "Prioritizing Active Learning," 432.

It should be noted that designing problem-based learning is not merely time consuming for the instructor, employing problem-based learning can require a significant outside-the-classroom time investments for students. In addition to the preparation time required of instructors and students, there is the necessary in-class time devoted to the activity and additional time required for debriefing, for maximum learning to occur. In fact, debriefing is often identified as one of the most critical components for student learning from problem-based activities, but time restraints often force instructors to make trade-offs; debriefing is often sacrificed in order to complete the activity.<sup>14</sup> Because individual instructors are dedicating time to creating simulations and teaching students character roles, necessary components to achieve maximum student learning (like debriefing) are squeezed-out. This means, when instructors do adopt problem-based learning, maximum student learning is often stunted.

The tremendous potential advantages of problem-based learning have lead the Simulations and Role Play track summaries, from the last few Teaching and Learning Conferences, to identify ways to minimize the obstacles to adopting active learning and to describe ways to make simulations more educational. For example, the 2010 Simulations and Role Play Track Summery expressed a need for “off-the-shelf” ready simulations that can easily be adopted. It has already been argued that the lack of ready-to-be-adopted active learning activities means that problem based learning is not just underutilized but often less successful when adopted. The 2010 Simulations and Role Play Track Summery also cited that simulations that are “portable” to several different courses can help minimize the impact of development time.

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<sup>14</sup> Stangl et al., “Simulations and Role Play I: 2011,” 664. Timothy Wedig “Getting the Most from Classroom Simulations: Strategies for Maximizing Learning Outcomes,” *PS: Political Science and Politics* 43 (2010): 547.

Timothy Wedig, in “Getting the Most From Classroom Simulations” underscores that maximizing student learning from simulations requires them to well-designed not stand alone activities. Instead, simulations must be “firmly linked to course content and learning objectives.”<sup>15</sup> Thus, little student learning is likely to occur when an instructor throws together a problem-based learning activity to simply add active learning to their class.<sup>16</sup> Activities should be developed with the idea of achieving student learning outcomes rather than purely trying to grab student interest. As assessment of student learning becomes increasingly emphasized, there is a need to justify the educational value for time devoted to games and role plays.<sup>17</sup> For ready-to-be-adopted simulations to be most beneficial they should be: (1) portable, (2) directly tied to learning objectives, and (3) have assessment data that supports their effects on student learning.

#### “Pin-the-Tail-on-the-Constitution” –Why it was Developed

“Pin-the-Tail-on-the-Constitution” was devolved to harness the benefits of problem-based learning while pushing past the barriers that typically prevent implementation. It takes little prep time, and it integrates well with student learning. The learning activity teaches multiple themes commonly included in a variety of courses on American politics such as federalism, congressional powers, the role of the federal courts, and the importance of the commerce clause; this makes the activity “portable” to numerous courses on U.S. politics.

There are no complicated roles for students to learn or adopt, and the activity can be

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<sup>15</sup> Wedig “Getting the Most,” 547.

<sup>16</sup> Jones, Johnson, and Spray, “Track: Simulations,” 576.

<sup>17</sup> Eric Sands and Allison Shelton, “Learning by Doing: A Simulation for Teaching how Congress Works,” *PS: Political Science and Politics* 43 (2010): 133

completed in less than a full class session, even if little pre-activity preparation time is provided. The streamlined preparation for the activity provides time for the other teaching and the logistical requirements of a typical class session while providing ample time for debriefing and set-up for the activity.

This activity has been conducted in twenty-three sections over four academic years, in which time many of the “kinks” have been worked out. It has mostly been used in an introductory U.S. Government and Politics course, but it has also been used in a State and Local Politics courses, and a U.S. Political Controversies course. It could easily be used in a public or constitutional law class or a class on Congress. With some modifications, it could be used in other political science classes as well. The activity has been used in classes ranging from ten to seventy students, and with slight modifications it could be used in larger classes as well. The learning activity can be conducted in as little as twenty minutes although thirty to forty minutes seems to work best. Despite the limited time needed for the activity, students often remark it is their most memorable and favorite activity.<sup>18</sup> Here is a small sample of positive student responses to the activity gathered from a 2012 survey, a week after the activity was conducted

**This activity is incredibly fun and engaging...an exceptional learning tool.**

**It [the activity] demonstrated some of the difficulties that Congress has to face when making laws.**

**It [the activity] made us think like a member of Congress.**

**It’s a fun way to associate and critically think about federalism and the powers of Congress.**

**It forces you to apply what you’ve learned, and think back on the articles we’ve read, and the discussions we’ve had.**

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<sup>18</sup> One sign of its memorability students have even mailed me extra materials to continue the activity even after they have transferred to four- year-institutions. In fact its memorability is sometimes harmed by the fact that for students that don’t pass the class and take it over again they give away some of the solutions spoiling the critical thinking of the other students working out the problems for the first time.

While these responses are not reflective of all students' experiences with activity, they nevertheless highlight the activity's ability to engage students in the type of learning we hope our students experience in the classroom.

### How Teaching the Commerce Clause Relates to Multiple American Politics Themes

The interstate commerce clause, one of the enumerated powers in Article I, Section 8 of the U.S. Constitution, provides Congress one of its most versatile and fundamental legislative tools. The limits of the commerce clause power, has been and continues to be subjected to intense political controversy. Interpretation of the commerce clause largely defines the balance of power between the national government and the states making it central in federalism debates. The commerce clause structures the power balance between the elected branches of the national government and the courts placing it at the center of many separation of powers controversies. It is the commerce clause that was used to justify Congress's enacting of civil rights and environmental legislation. In recent years, Congress has justified its efforts to limit gun possession and gender-motivated violence on its authority to regulate interstate commerce only to have the Supreme Court invalidate the legislation. Every year the limit of Congress's commerce clause authority is subjected to Supreme Court review, meets with state resistance, and inspires media debates. In essence, the commerce clause is interwoven in almost all aspects of what is taught in an introductory U.S. government class (as well as most other courses addressing American politics). But few students enter introductory classrooms with any comprehension of the scope or importance of the commerce clause. Teaching the commerce clause provides an opportunity to teach U.S. government in a way that is relevant to students'

lives and connects their learning to the world around them. Because of the importance of the commerce clause, and its connection to multiple themes within a U.S. government course, it makes sense to teach the commerce clause in a way that underscores those connections and maximizes student retention and interest.

### “Pin-the-Tail-on-the-Constitution” Activity—Detailed Description

The activity is set up to make students: (1) read the text of the Constitution, (2) grapple with difficult news and journal readings, (3) apply knowledge to contemporary events, and (4) analyze how the U.S. government and political actors operate. In my U.S. Government and Politics course I use the activity at the start of my section on Congress. This section comes soon after my sections on federalism, separation of powers, and the Constitution. This activity provides: a recap of those previous sections, a good start to the legislative branch, and a helpful background to the courts—a section that follows two weeks later. The activity can be conducted with as little as a white board, dry erase markers, and post-it-notes.

At the start of the exercise I provide students a handout that includes the text of Article I, Section 8 of the Constitution. Each clause of the section is separated by a line-space and has a number preceding it (see appendix I and the abridged example below):

The enumerated powers given Congress in Article I Section 8, are:

- (1) The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;
- (2) To borrow money on the credit of the United States;
- (3) To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;
- (4) To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;

On the other side of the page (see below) the students are provided a description of their role for the activity:

The Constitution places limits of the Federal Government; it's only powers are those granted by the Constitution. Therefore any federal law must be "rationally" related to a congressional power, or necessary and proper to effectuate one of them. If Congress legislates beyond its powers, it is violating the 10<sup>th</sup> Amendment.

Imagine you are a member of Congress. As a congressional representative there are many laws you and your fellow representatives want to pass. (Perhaps you are trying to please your constituents, or you just want to make the United States a better place).

In class I will give you a list of goals Congress wants to accomplish. You and your group will need to find a specific power listed in Article I, Section 8 that allows this congressional action.

After students have read the above description of their role as members of Congress, I place them into groups based on where they are sitting. These groups can vary in size (I typically try to make the groups about five to seven students). Each group is given a stack of small "post-it-notes." Each group receives a different colored stack from all other groups; each group is named by the color of their "post-it-notes," there is a green-group, a yellow-group, a hot-pink-group etc. After distributing the "post-its" and naming the groups, I project, on the white-board the list of laws the student-legislators need to find Article I, Section 8 justification. In the spring semester of 2012 semester I projected this list of laws/regulations that they, as Congress members, were to find constitutional justification to adopt:

- A) Establish a national drinking age.
- B) Establish a national highway speed.
- C) Regulate the conduct of railroads and airlines.
- D) Desegregate private business.
- E) Set minimum-wage laws for private businesses.
- F) Forbid kidnapping.
- G) Regulate the internet.

- H) Determine which drugs are illegal and regulate their use.
- I) Protect endangered species.
- J) Outlaw guns in schools.
- K) Regulate healthcare.

It is important for the game that many of the activities to be regulated are activities that most students would agree should be prohibited. For example, most students would agree that kidnapping should be illegal.<sup>19</sup> If too many of the activities to be regulated focus on topics that students desire less governmental regulation, then students get the impression that the national government merely wants to control their lives; instead, it is hoped that students experience that members of Congress are trying to find ways, within the Constitution, to pass laws that most of their constituents desire. The organization of the list of activities to be regulated is also important. Note that all of the laws that Congress has justified under its commerce clause authority are placed in a row at the end of the list. At the end of the game, this grouping provides a powerful verbal and visual cue about the significance of the commerce clause.

At this point, students are in groups with their “post-it-notes” and the list of laws to be justified is projected in the front of them. The students are now instructed to note the number located next to the clause in Article I, Section 8 that justifies the regulation they want to adopt. They are to write that number on a “post-it-note” and then send a group-member to the front of the class to stick the numbered “post-it” on the board next to the projected law/regulation. The students are instructed that once the first group has all of their “post-its” placed next to the regulations, one additional minute will be given for all the groups to finish. This produces a mad rush of energy, anxiety, competition, and laughter. Typically I provide the students in the

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<sup>19</sup> Most do not know that it was not until the 1932 that the federal government outlawed kidnapping and the justification for Congress’s power to do so was based on the commerce clause.

group that correctly answers the most questions five-bonus-points (a rather trivial amount, but enough to get people competing).

Soon after the instructions are given, all the group members are busy reading Article I, Section 8 with great care, and thinking like legal practitioners to stretch the meaning of the words in each constitutional clause. Each group pays attention as members of the other groups walk to the board to place “post-it-note” answers next to the regulations they are trying to constitutionally justify. The students that have thoroughly done past readings and paid attention to lectures will start to recall the role of the commerce clause in some specific controversies. Most still get the answers wrong; for students in introductory courses it is still a foreign concept that Congress justifies environmental protections and the desegregation of private businesses with the interstate commerce clause.

Once the time limit for the game has been reached, I go to the board and read each regulation to be justified followed by the correct answer. Then I see which color “post-it-notes” have the correct answer. Typically a group wins by getting only four or five answers correct out of the eleven regulations. All regulations that rely on the commerce clause are grouped at the end, the class quickly sees this pattern and starts shouting and groaning out the answer “the commerce clause!” as we go through the last several regulations.

Debriefing is often cited as one of the most important components of a game for learning to occur.<sup>20</sup> To debrief from this activity I ask several probing questions. For example:

- 1) What did this game just teach you? What did you learn from it?
- 2) Why is it necessary for Congress to have to justify what power allows them to pass laws?

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<sup>20</sup> Stangl et al., “Simulations and Role Play I: 2011,” 665.

- 3) Was it difficult to find justification based on the words of the Constitution for the laws you wanted to pass?
- 4) Why do you think members of Congress stretch the meaning of the Constitution?
- 5) Should Congress tell their constituents: “the Constitution will not allow them pass a law to prohibit kidnapping?” Would you vote for a Congress member that gave such an answer?
- 6) Will you ever forget the importance of the commerce clause again?
- 7) How could this game be better?

Occasionally the game runs long, and it lasts until the very end of a class session. I have found that the students remember the game well enough to successfully do the debriefing the next class session.<sup>21</sup>

#### Assessment of Activity-Evidence of Student Learning

The 2012 APSA Teaching and Learning Conference Track Summary for “Simulations and Role Play I: American Politics and Institutions” identified that “instructors need to continue to develop appropriate assessment tools to ensure the credibility of simulations.”<sup>22</sup> In order to assess the level of student-learning from Pin-the-Tail, I conducted a pre- and post-activity, student-survey, in the fall of 2012. I administered the survey to reinforce student learning as well as get valuable data about the activity’s effectiveness. Of the sixty-three students that responded to the survey, sixty-two (98%) believed the activity should be used in the future. This indicates strong student support. Students were asked, on a five-point-scale (ranging from 1- Not-At-All to 5- Immensely), to rate how much the activity increased their knowledge of (1) federalism, (2) congressional powers, and (3) the Commerce Clause. Impressively, 84 percent

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<sup>21</sup> In fact, rarely is the problem that students forget this game, the main problem is that students remember the game too well. When I have multiple sections of the course I have to ensure that students do not share the results with their friends in other sections or future semesters. I also occasionally have students repeat my class and they can sometimes ruin the results.

<sup>22</sup> Maxwell, “Simulations and Role Play I,” 535.

rated their knowledge increase on the Commerce Clause at a four or a five on a five-point-scale. Seventy-six percent noted an increase in knowledge of congressional powers that equaled a four or a five on the scale, and 30 percent said the same about their increase in knowledge of federalism. *Figure 1* below shows the average increase of student knowledge for each of these categories. These results indicate that students saw the activity as being useful and increasing their knowledge of important concepts in American politics.

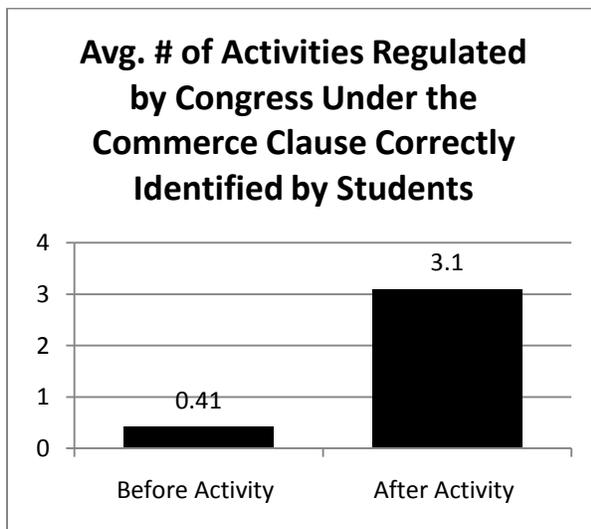
**Figure 1**  
**Participants' Average Overall Evaluation of their Learning**  
**from Pin-the-Tail-on-the-Constitution**  
**Based on a 5.0 Scale**  
 (Where 5 = Immense/ 1= None at All)

	None-at-All		----->		Immense
Federalism	1	2	3	3.2	4 5
Congressional Powers	1	2	3	4	4.1 5
Commerce Clause	1	2	3	4	4.2 5

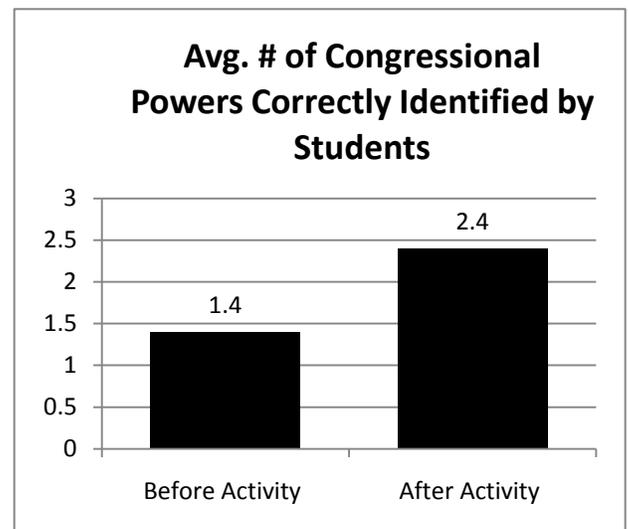
While important, students' enjoyment of an activity and their self-reported increase in knowledge is not sufficient to judge an activity's ability to teach important concepts in U.S. politics. The results of pre- and post-activity surveys, conducted in the fall of 2012, also demonstrate students' increased ability to answer questions about congressional powers and the Commerce Clause after participating in the activity. Impressively, a *pre-activity survey* of twenty students showed that only 70 percent were *able to name any activities* that Congress has regulated under the Commerce Clause and *only 15 percent* could correctly name two activities. On average, the students could provide less than half-of-one activity (.41) regulated by Congress under the Commerce Clause. Contrast these results with the post-activity survey: 71 percent could now correctly answer *three or more activities regulated by Congress* under the

Commerce Clause (whereas no students could answer more than two previously). On average, the sixty-three participants could correctly identify 3.1 activities regulated by Congress under the commerce clause a week after the classroom activity (an increase of 2.7 from just ten days prior). (See *Figure 2* below). These improved learning outcomes were also demonstrated when students were asked to: “Name three constitutional powers possessed by Congress.” After the activity 65 percent could correctly identify three constitutional powers of Congress, with the students averaging 2.4. Prior to the activity only 40% could name three constitutional powers of Congress and the class average was only 1.4. (See *Figure 3* below). Obviously, the value of the activity went beyond student enjoyment and their perceived learning; student ability to answer questions about Congress and the Commerce Clause also increased dramatically after the classroom activity.

**Figure 2**



**Figure 3**



It is especially important to note, that the pre-survey was conducted after students were assigned a textbook chapter and two articles related to the commerce clause and

congressional powers. Given that students had previously been presented readings and an in-class lecture on these topics, increased student learning from participation in the activity cannot simply be attributed to ignorant students being presented some new information; these results indicate that Pin-the-Tail-on-the-Constitution increased student learning in ways that reading and lecture, did not. The results of this survey indicate that, active learning, when supplementing learning from text and from lecture, made a dramatic difference in student-learning that reading and lecture alone could not.

### Conclusion-

It is well documented that properly employed problem-based learning promotes collaboration between students, develops “critical thinking skills, elects discovery, and construction of knowledge.”<sup>23</sup> Despite these findings, reviews of syllabi reflect that introductory political science courses are not incorporating these activities. Lack of adoption of problem-based learning seems even more acute in public colleges, in classes with a large number of students, in classes on American politics, and classes that meet face-to-face. Part of the hesitation is the lack of already designed examples that can be readily adopted; it is a significant time commitment to develop, manage, and assess simulations.

Yet, simulations need not be complex to achieve desired student-learning outcomes. I devised this activity to harness the benefits of problem-based learning while trying to overcome the resistance that has been documented. I have had great success with Pin-the-Tail-on-the-Constitution. My own experience and the results of my survey support previous findings of

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<sup>23</sup> Jeffery S. Lantis, Lynn M Kuzman, and John Boehrer, eds., *The new International Studies Classroom: Active Teaching, Active Learning* (New York: Lynne Rienner, 2000), 1.

increased student learning from problem-based learning. Additionally, the results of my survey demonstrate the significant student-learning that can be achieved from participation in a simulation, even when students have already been exposed to text- and lecture-based education. Greater evaluation of this activity by other instructors and accumulating survey data of student learning are the obvious next steps.

# APPENDIX I

## Enumerated Powers of Congress

### The enumerated powers given Congress in Article I Section 8, are:

- (1) The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;
- (2) To borrow money on the credit of the United States;
- (3) To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;
- (4) To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States;
- (5) To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;
- (6) To provide for the punishment of counterfeiting the securities and current coin of the United States;
- (7) To establish post offices and post roads;
- (8) To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;
- (9) To constitute tribunals inferior to the Supreme Court;
- (10) To define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;
- (11) To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;
- (12) To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;
- (13) To provide and maintain a navy;
- (14) To make rules for the government and regulation of the land and naval forces;
- (15) To provide for calling forth the militia to execute the laws of the union, suppress insurrections and repel invasions;
- (16) To provide for organizing, arming, and disciplining, the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the states respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress;
- (17) To exercise exclusive legislation in all cases whatsoever, over such District (not exceeding ten miles (16 km) square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings;--And
- (18) To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

## APPENDIX II

### **Congressional Powers Exercise**

The Constitution places limits of the Federal Government; it's only powers are those granted by the Constitution. Therefore any federal law must be "rationally" related to a congressional power, or necessary and proper to effectuate one of them. If Congress legislates beyond its powers, it is violating the 10<sup>th</sup> Amendment.

Imagine you are a member of Congress. As a congressional representative there are many laws you and your fellow representatives want to pass. (Perhaps you are trying to please your constituents or just make the United States a better place).

In class I will give you a list of goals Congress wants to accomplish. You and your group will need to find a specific power listed in Article I, Section 8 that most directly allows this congressional action. You and your group will do better in this assignment the more thoroughly you review this list of powers before class begins.

## APPENDIX III

### Image Projected in Front of Class

Students place their post-it-notes next to the letter of each law that they attempt to justify with one of the clauses in from Article I, Section 8 of the Constitution. Each post-it-note will have a number written on it that corresponds to the number written next to the clause as shown in Appendix II. Since the commerce clause is labeled 3 (as shown in Appendix II) most of the post-it-notes should have a 3 written on them.

- A) Establish a national drinking age.
- B) Establish a national highway speed.
- C) Regulate railroads and airlines.
- D) Desegregate private business.
- E) Set minimum wage laws.
- F) Forbid kidnapping.
- G) Regulate the internet.
- H) Regulate illegal drugs.
- I) Protect endangered species.
- J) Outlaw guns in schools.

