 OHIO CENTER FOR LAW-RELATED EDUCATION	IDM created by: Ohio Center for Law-Related Education
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Inquiry Design Model (IDM) Blueprint™			
Compelling Question	Do citizens exercise meaningful influence over the government?		
Standards and Practices	<p>Government Standard 1: Opportunities for civic engagement with the structures of government are made possible through political and public policy processes.</p> <p>Government Standard 20: Individuals in Ohio have a responsibility to assist state and local governments as they address relevant and often controversial problems that directly affect their communities.</p> <p>Government Standard 22: Individuals and organizations play a role within federal, state and local governments in helping to determine public (domestic and foreign) policy</p>		
Staging the Question	<p>Ask the class: Why is voting important? Record answers on the board.</p> <p>Have the students read the article “12 of the Weirdest Ballot Initiatives in American History”, Jake Rossen, Mental Floss, Nov 3, 2015.</p> <p>Now ask them the following questions either individually or in groups:</p> <ul style="list-style-type: none"> • Is it important that citizens vote on every issue? • Is it important that citizens can vote on issues the elected officials don’t take up? • What, besides voting, is essential in a well-run democracy? 		
Supporting Question 1	Supporting Question 2	Supporting Question 3	Supporting Question 4
How can citizens use their power recognized in the Ohio and U.S. Constitutions to influence the structure of government?	How can citizens use their power recognized in the Ohio and U.S. Constitutions to influence the function of government?	What government processes limit the input of citizens?	What other factors limit or weaken citizens’ ability to influence government?
Formative Performance Task	Formative Performance Task	Formative Performance Task	Formative Performance Task
List each of the powers held by citizens to influence the structure of government. For each, identify the source in which the power is articulated.	List each of the powers held by citizens to influence the function of government. For each, identify the source in which the power is articulated.	Create a summary of each of the ways that government processes limit citizens’ input and match to the corresponding power identified in questions 1 and 2 (e.g. Voter ID laws impact voter suffrage).	Create a summary of each of the ways that non-governmental factors limit citizens’ input and match to the corresponding power identified in questions 1 and 2.
Featured Sources	Featured Sources	Featured Sources	Featured Sources
U.S. Constitution: Article 4, Section 4; Article 5 Ohio Constitution: Article 16, Section 3	U.S. Constitution: Amendment 1, Amendment 9, Amendment 17 Ohio Constitution: Article 1, Section 2; Article 1, Section 20; Article 2, Section 1	Voter Identification Requirements: Voter ID Laws, National Conference of State Legislatures Putting an Issue on the Ballot, Ohio Secretary of State’s Office	“What If You Had as Much Political Influence as a Billionaire?” Mark Schmitt, CNN Op Ed, Feb 16, 2015 “Do Social Media Threaten Democracy?”, The Economist, Nov 4, 2017

<p><i>Supplemental Sources</i></p> <p>Ohio Constitutional Convention Question, Issue 1 (2012), Ballotpedia</p> <p>“A Republican Form of Government”, Edward A Fallone, Marquette University Law School Faculty Blog, Sep 20, 2009</p>		<p><i>Supplemental Sources</i></p> <p>“Calling Your Congressperson”, Civics 101 Podcast, New Hampshire Public Radio</p> <p>Influence & Lobbying, Center for Responsive Politics</p> <p>Voting in Ohio, The Ohio Legislature</p> <p>“How to Influence the Government”, Moses Mercado and Drew Maloney, Forbes, Jan 19, 2009</p> <p>60 Second Civics Podcast: Ballot Initiatives & Voting, Elections, and Representation, Part 43: Referendum and Recall</p> <p>Ballot Initiative and Referendum, Ohio Attorney General’s Office</p>	<p>“Supreme Court Gives Ohio Right to Purge Thousands of Voters from its Rolls”, Pete Williams, NBC News, Jun 11, 2018</p> <p>“Ohio Supreme Court Kicks Kidney Dialysis Issue Off the November Ballot”, Laura Bischoff and Kaitlin Schroeder, Dayton Daily News, Aug 13, 2018</p> <p>Democracy: People Power, Video, National Geographic</p> <p>“Why Aren’t Cameras Allowed at the Supreme Court Again?”, Robert Kessler, The Atlantic, Mar 28, 2013</p> <p>“After 50 Years, the Freedom of Information Act Needs Updating”, Nikita Lalwani and Sam Winter-Levy, Los Angeles Times Op-Ed, Jul 8, 2016</p>	<p>“Here’s Who Found that Russia Meddled in the 2016 Election”, Abby Vesoulis and Abigale Simon, Time Magazine, Jul 16, 2018</p>
Summative Performance Task	Argument	In a four-minute presentation, using supporting evidence, a panel of 3-5 students will answer as a group if citizens exercise meaningful influence of the government.		
	Extension	Students answer direct questions from a panel in a Q&A interview format to showcase knowledge of the compelling question.		
Taking Informed Action	Select a public policy issue about which you are passionate. Create an action plan for how you would express your concerns and advice to the government. Your response should include: 1) Your proposed solution or reforms, 2) the level and branches of government to whom you should/will communicate, and 3) the methods you will use to get your message to interested parties.			

2019 Ohio We the People State Competition

Ohio Constitution Scholars Question (Unit 6, Question 2)

Both the Ohio and U.S. Constitutions begin with the phrase “We the People.” As government has expanded in both size and authority over time, has the role of the citizen diminished? In what ways, if any, do citizens exercise meaningful influence over the government?

- What powers, if any, are recognized in the Constitutions for people to influence both the structure and function of government?
- In what ways, if any, can government authority be used to limit the power of the citizen?

How To Influence The Government

F forbes.com/2009/01/19/government-relations-lobbying-oped-cx_mm_dm_0119mercadomaloney.html

January 19, 2009

Jun 19, 2013, 04:47pm EDT

🕒 This article is more than 10 years old.

Some pundits are saying that Barack Obama's election means dramatic changes are coming in advocacy and lobbying campaigns. They're missing the real story: President-elect Obama is reinforcing a sea-change that has already taken place. Despite popular lore, the smoke-filled backroom deals to sneak a provision into legislation died long ago. Hiring the "fixer" is a thing of the past.

Modern day lobbyists--aka government relations consultants or legislative advocates--are essentially campaign managers. They have to approach every advocacy issue like they're Obama strategist David Axelrod, with a focus on message, grassroots organizing and media. And the lobbyists must work with their clients to manage all of these issues in a fast-changing new world.

Just as critical, the advocacy team has to offer genuine expertise in each of those three major components of a campaign. And it must include both Democrats and Republicans, who have a reputation for using real shoe leather to get results for their clients.

Meanwhile, politicians keep promoting a caricature of lobbyists that no longer fits, if it ever truly did. In reality, political campaigns and advocacy now mirror each other tactically. Drawing from our experience, here are the key components of today's lobbying campaign--a set of rules that could have come from any candidate's playbook:

Message. If you're running for office, you quickly learn to tailor your message to your audience. It's no different for lobbyists. The team not only has to determine the best message to deliver, but it must be ready to alter that message for different constituencies or party officials. Take the current discussion about which provisions to include in the stimulus package. The one thing everyone has to focus on is jobs. Energy tax credits that assisted the wind or solar industry now must be shown to provide green jobs. And in the current economic environment, a company needs to put real numbers behind a legislative request, including the number of jobs it would create, as well as other benefits to the local community.

Once a politician or lobbyist decides on the message, he or she has to figure out the best person to deliver it. In politics, it's not always the candidate who can wield the most influence; sometimes it's a surrogate with a special connection to the voters (remember Joe the Plumber?).

In traditional lobbying, a company's CEO always came to Washington. But especially now in Washington, legislators like to score political points by being tough on top executives. It can be better to have the plant manager or the beneficiary of the initiative make the case. That plant manager lives in the member's district and may go to the same church, shop at the same grocery store. The local message resonates with policymakers. Our clients even encourage key decision makers to visit manufacturing facilities, warehouses and corporate headquarters in order to see firsthand how jobs can be created.

Grassroots. This is a broad term, but essentially it refers to the "real people" you need to recruit to promote a message. Companies must identify supporters district by district, state by state, who will get behind a particular message. This is where the Obama campaign broke new ground. Plenty of people have talked about how Obama changed the game by raising so much money online. But he did more than that: He mastered the grassroots by turning a lot of those online supporters into volunteers for the campaign, and along the way captured the e-mail addresses of more than 13 million people who could be recruited later to help Obama in other ways. Whether the issue is health care, climate change or something else, the Obama team has a huge pool of supporters to kick-start a grassroots campaign. That's a model now for every advocacy group.

Media. A growing number of people are getting their information through new media sources--more than a quarter of Americans use the Internet as a news source, for example--and smart political campaigns have adjusted. Think of the way candidates used YouTube videos this past cycle for viral messaging, and social networks like MyBarackObama.com to engage younger voters. A 2007 *National Journal* study of Washington insiders, which included Capitol Hill staffers, shows that these decision makers are also relying on new media sources. For instance, 71% of chiefs and deputy chiefs of staff read blogs on a regular basis.

As a result, Internet sites and Web-based tools are re-writing the playbook for legislative advocates. It's no longer just about promoting favorable coverage in *The Washington Post* or on NBC's *Nightly News*. It's about getting the message out--quickly--through news Web sites, twitter feeds, influential blogs, video-sharing sites and social-networking sites.

The Service Employees International Union (SEIU) is among those that have adapted their tactics to fit today's media landscape. Over the past couple of years, the union has attacked private equity firms with more than just traditional tools of advocacy like congressional testimonies, op-eds and congressional allies. It has also gotten friendly bloggers to help build grassroots opposition to moves by stakeholding private equity firms on a variety of issues important to the union. Now, the business community is fighting back on the No. 1 issue for unions, the Employee Free Choice Act, which, if passed, would do away with secret ballots when workers vote on unionization. The counter-attack includes new media messaging through such outlets as YouTube, as well as sympathetic bloggers with reach and influence.

As with political campaigns, these three components of advocacy--message, grassroots and media--are not separate, unrelated parts of the message campaign. To be successful, they must be integrated. The best advocacy groups and lobbying firms have recognized that stove-piped operations are counterproductive, while coordinated efforts multiply a campaign's effectiveness. That means that a lobbying firm's advertising, marketing, legal and corporate teams must coordinate. So what it takes to win in advocacy today is exactly the same as what it takes to win an election: embracing change with a unified team and a unified strategy.

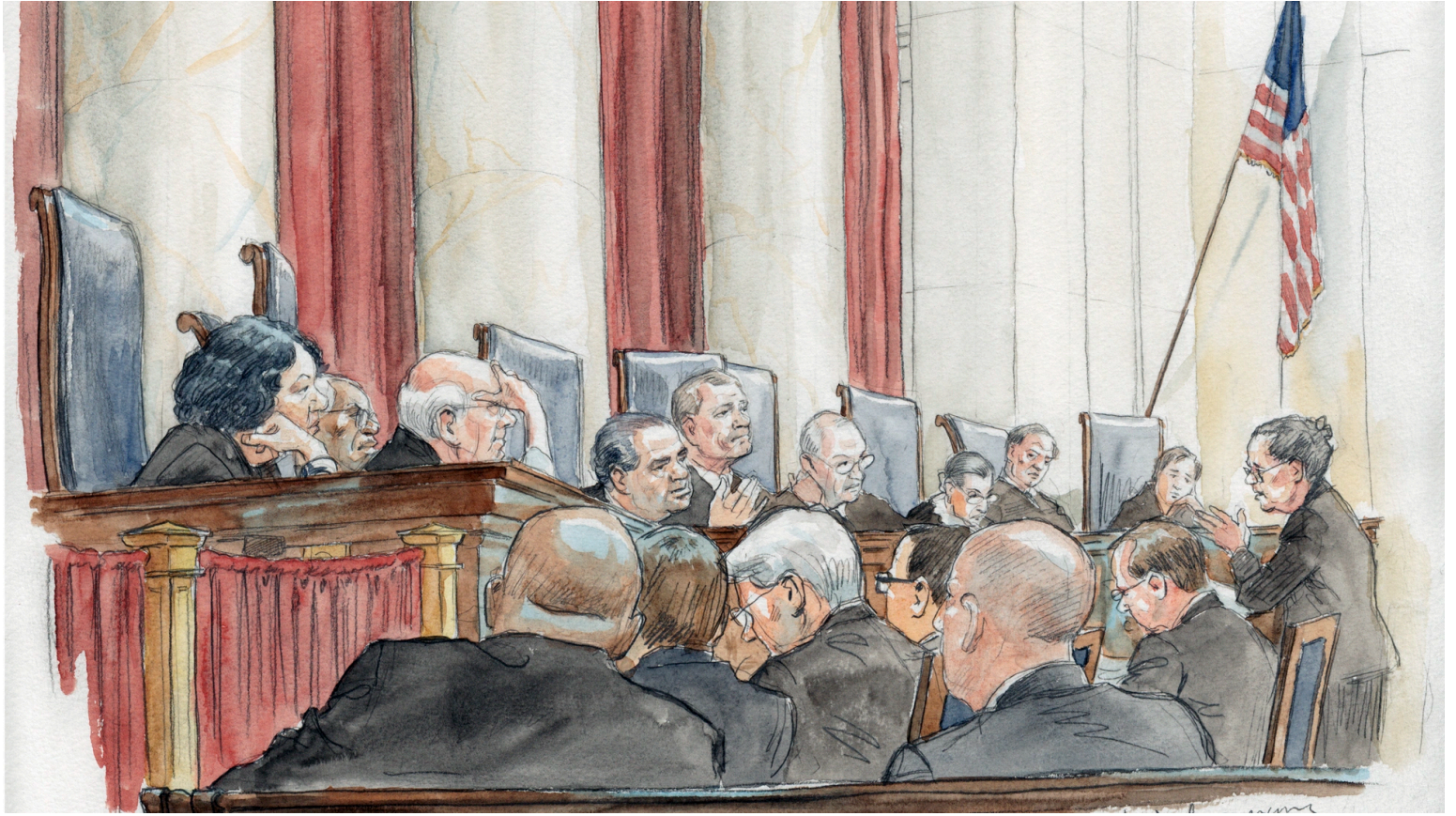
Moses Mercado and Drew Maloney are Managing Directors at Ogilvy Government Relations, a bipartisan firm in Washington, D.C., that represents corporations and institutions with legislative and regulatory concerns.

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Why Aren't Cameras Allowed at the Supreme Court Again?

This week, the news cycles has been consumed by the Supreme Court's oral arguments on two closely-watched legal battles in recent history, but unlike virtually every other news story on the planet these days, there were no images or videos because cameras are not allowed in Supreme Court proceedings.

By Robert Kessler



MARCH 28, 2013

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*This article is from the archive of our partner **THE WIRE**.*

This week, the news cycles has been consumed by the Supreme Court's oral arguments on two closely-watched legal battles in recent history, but unlike virtually every other news story on the planet these days, there were no images or videos because cameras are not allowed in Supreme Court proceedings. Here's why.

The History

The reason why cameras are prohibited in the courtroom goes back to 1946 when the court put into place Federal Rule 53. It states:

Except as otherwise provided by a statute or these rules, the court must not permit the taking of photographs in the courtroom during judicial proceedings or the broadcasting of judicial proceedings from the courtroom.

In 1972, the rule was expanded to include television cameras.

Then, in 1999, Iowa Sen. Chuck Grassley introduced legislation that would have allowed cameras into Supreme Court proceedings. As a response, the Court began to release audio of oral arguments, but only after arguments concluded.

To state the obvious, the Supreme Court last year makes history on a regular basis, whether by ending racial segregation in schools or legalizing both interracial marriage and abortion. In 2000, the Supreme Court essentially picked the President. The Constitution gives a tremendous amount of power to grant a group of nine judges who aren't elected and are given lifetime appointments. Adding a little more transparency into the mix certainly wouldn't hurt anyone.

In Their Own Words

It is Supreme Court Justices themselves who have been the most vocal opponents of allowing cameras into their courtroom. However, there are several members of the current Court who have expressed either a desire to allow cameras in the proceedings or at least some interest in entertaining the idea. C-SPAN has compiled a conclusive list of instances where justices have spoken either for or against cameras in the courtroom. Going by their past statements, the Court is currently split 4-3 towards not allowing cameras, but those two undecided votes could swing the majority in favor of allowing them.

Chief Justice John Roberts; July, 2006, speaking against cameras:

"There's a concern [among justices] about the impact of television on the functioning of the institution. We're going to be very careful before we do anything that might have an adverse impact."

Justice Antonin Scalia; April, 2005, speaking against because he doesn't trust the media:

"I wouldn't mind having the proceedings of the court, not just audioed, but televised, if I thought it would only go out on a channel that everyone would watch gavel to gavel. But if you send it out on C-SPAN, what will happen is for every one person who sees it on C-SPAN gavel to gavel so they can really understand what the court is about, what the whole process is, 10,000 will see 15-second takeouts

on the network news, which, I guarantee you, will be uncharacteristic of what the court does. So I have come to the conclusion that it will misinform the public rather than inform the public to have our proceedings televised."

Justice Anthony Kennedy; March 2007, speaking against because he doesn't trust his colleagues:

"... But I don't think it's in the best interest of our institution ... Our dynamic works. The discussions that the justices have with the attorneys during oral arguments is a splendid dynamic. If you introduce cameras, it is human nature for me to suspect that one of my colleagues is saying something for a soundbite. Please don't introduce that insidious dynamic into what is now a collegial court. Our court works... We teach, by having no cameras, that we are different. We are judged by what we write. We are judged over a much longer term. We're not judged by what we say. But, all in all, I think it would destroy a dynamic that is now really quite a splendid one and I don't think we should take that chance."

Justice Clarence Thomas; April 2006, speaking against:

"It runs the risk of undermining the manner in which we consider the cases. Certainly it will change our proceedings. And I don't think for the better."

Justice Stephen Breyer; December 2005, without an opinion:

"I think there are good reasons for it and good reasons against it. ... I hope eventually the answer will become clear, that either those who are concerned about the negative effects are shown wrong, or they're shown right. But at the moment I think it's quite uncertain what the answer is."

Justice Samuel Alito; January 2006, without an opinion but leaning towards cameras:

"I had the opportunity to deal with this issue actually in relation to my own court a number of years ago. All the courts of appeals were given the authority to allow their oral arguments to be televised if it wanted. We had a debate within our court about whether we would or should allow television cameras in our courtroom. I argued that we should do it ... The issue is a little different in the Supreme Court. It would be presumptuous for me to talk about it right now ... I will keep an open mind despite the decision I took in the third circuit."

Justice Ruth Bader Ginsburg; November 1993, speaking in favor:

"I don't see any problem with having proceedings televised. I think it would be good for the public."

Justice Sonia Sotomayor; July 2009, speaking in favor:

"I have had positive experiences with cameras. When I have been asked to join experiments of using cameras in the courtroom, I have participated. I have volunteered. "

Justice Elena Kagan; August 2011, speaking in favor:

"I do think it would be a good idea ... If everybody could see this, it would make people feel so good about this branch of government and how it's operating ... it's such a shame actually that only 200 people a day can get to see it and then a bunch of other people can read about it. Because reading about it is not the same experience as actually seeing..."

Many arguments against recording Supreme Court proceedings, including one published Wednesday in *USA Today*, revolve around the idea that, were they televised, these proceedings would turn into some Congressional hearing with each justice fighting to deliver the snappiest soundbite. However, they are neither cable news pundits, nor are they politicians running for re-election and looking to generate publicity, so it's not like they have the same incentives to play for the cameras. Or, rather, they wouldn't have any more incentives

than they currently do.

This article is from the archive of our partner The Wire.

MORE FROM ROBERT KESSLER

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Cash Withdrawal Limits Will Last Weeks More for Cypriots

As banks reopened in the beleaguered island nation of Cyprus Thursday, account holders were told daily limits on cash withdrawals would last only a week. But just kidding,

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Accusing the Colorado movie theater shooter's defense team of drumming up publicity and seeking a plea deal bargain that takes advantage of his potential insanity, state attorneys prosecuting

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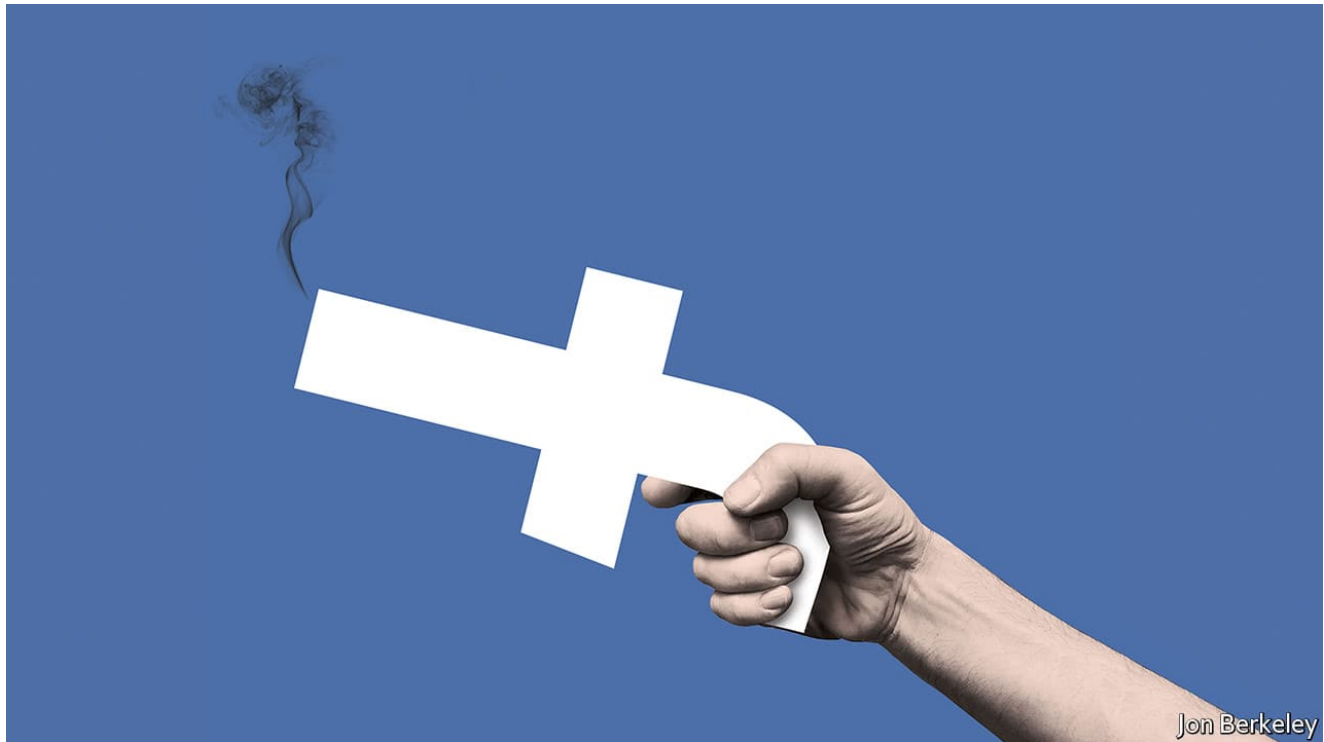
Do social media threaten democracy?

E economist.com/leaders/2017/11/04/do-social-media-threaten-democracy

The Economist

November 4, 2017

[Leaders](#) | Scandal, outrage and politics



Jon Berkeley

Nov 4th 2017 | 5 min read

IN 1962 a British political scientist, Bernard Crick, published “In Defence of Politics”. He argued that the art of political horse-trading, far from being shabby, lets people of different beliefs live together in a peaceful, thriving society. In a liberal democracy, nobody gets exactly what he wants, but everyone broadly has the freedom to lead the life he chooses. However, without decent information, civility and conciliation, societies resolve their differences by resorting to coercion.

How Crick would have been dismayed by the falsehood and partisanship on display in this week’s Senate committee hearings in Washington. Not long ago social media held out the promise of a more enlightened politics, as accurate information and effortless communication helped good people drive out corruption, bigotry and lies. Yet Facebook acknowledged that before and after last year’s American election, between January 2015 and August this year, 146m users may have seen Russian misinformation on its platform. Google’s YouTube admitted to 1,108 Russian-linked videos and Twitter to 36,746 accounts. Far from bringing enlightenment, social media have been spreading poison.

Russia's trouble-making is only the start. From South Africa to Spain, politics is getting uglier. Part of the reason is that, by spreading untruth and outrage, corroding voters' judgment and aggravating partisanship, social media erode the conditions for the horse-trading that Crick thought fosters liberty.

A shorter attention spa...oh, look at that!

The use of social media does not cause division so much as amplify it. The financial crisis of 2007-08 stoked popular anger at a wealthy elite that had left everyone else behind. The culture wars have split voters by identity rather than class. Nor are social media alone in their power to polarise—just look at cable TV and talk radio. But, whereas Fox News is familiar, social-media platforms are new and still poorly understood. And, because of how they work, they wield extraordinary influence.

They make their money by putting photos, personal posts, news stories and ads in front of you. Because they can measure how you react, they know just how to get under your skin (see [article](#)). They collect data about you in order to have algorithms to determine what will catch your eye, in an “attention economy” that keeps users scrolling, clicking and sharing—again and again and again. Anyone setting out to shape opinion can produce dozens of ads, analyse them and see which is hardest to resist. The result is compelling: one study found that users in rich countries touch their phones 2,600 times a day.

It would be wonderful if such a system helped wisdom and truth rise to the surface. But, whatever Keats said, truth is not beauty so much as it is hard work—especially when you disagree with it. Everyone who has scrolled through Facebook knows how, instead of imparting wisdom, the system dishes out compulsive stuff that tends to reinforce people's biases.

This aggravates the politics of contempt that took hold, in the United States at least, in the 1990s. Because different sides see different facts, they share no empirical basis for reaching a compromise. Because each side hears time and again that the other lot are good for nothing but lying, bad faith and slander, the system has even less room for empathy. Because people are sucked into a maelstrom of pettiness, scandal and outrage, they lose sight of what matters for the society they share.

This tends to discredit the compromises and subtleties of liberal democracy, and to boost the politicians who feed off conspiracy and nativism. Consider the probes into Russia's election hack by Congress and the special prosecutor, Robert Mueller, who has just issued his first indictments. After Russia attacked America, Americans ended up attacking each other (see [article](#)). Because the framers of the constitution wanted to hold back tyrants and mobs, social media aggravate Washington gridlock. In Hungary and Poland, without such constraints, they

help sustain an illiberal, winner-takes-all style of democracy. In Myanmar, where Facebook is the main source of news for many, it has deepened the hatred of the Rohingya, victims of ethnic cleansing.

Social media, social responsibility

What is to be done? People will adapt, as they always do. A survey this week found that only 37% of Americans trust what they get from social media, half the share that trust printed newspapers and magazines. Yet in the time it takes to adapt, bad governments with bad politics could do a lot of harm.

Society has created devices, such as libel, and ownership laws, to rein in old media. Some are calling for social-media companies, like publishers, to be similarly accountable for what appears on their platforms; to be more transparent; and to be treated as monopolies that need breaking up. All these ideas have merit, but they come with trade-offs. When Facebook farms out items to independent outfits for fact-checking, the evidence that it moderates behaviour is mixed. Moreover, politics is not like other kinds of speech; it is dangerous to ask a handful of big firms to deem what is healthy for society. Congress wants transparency about who pays for political ads, but a lot of malign influence comes through people carelessly sharing barely credible news posts. Breaking up social-media giants might make sense in antitrust terms, but it would not help with political speech—indeed, by multiplying the number of platforms, it could make the industry harder to manage.

There are other remedies. The social-media companies should adjust their sites to make clearer if a post comes from a friend or a trusted source. They could accompany the sharing of posts with reminders of the harm from misinformation. Bots are often used to amplify political messages. Twitter could disallow the worst—or mark them as such. Most powerfully, they could adapt their algorithms to put clickbait lower down the feed. Because these changes cut against a business-model designed to monopolise attention, they may well have to be imposed by law or by a regulator.

Social media are being abused. But, with a will, society can harness them and revive that early dream of enlightenment. The stakes for liberal democracy could hardly be higher.

From the November 4th 2017 edition

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