

Lesson 18.2: What Is a Living Document?



Shoe, 1759  
Source: New Hampshire Historical Society

# QUICK CONNECT

Take a close look at a primary source!

## ENCOUNTER

**What do you notice about the source?**

**What do you see?** List 10 things you notice about the source. Be specific!

**Senses:** Use your imagination. What would your five senses (sight, touch, smell, sound, and taste) tell you about the source?

**30 seconds:** Look at the source for 30 seconds, then close your eyes and describe it to a partner. Now open your eyes. What did you miss?

**Draw It:** Sketch the source on a piece of paper. Be sure to show details and label parts you find interesting.

## INVESTIGATE

**What do you think about the source?**

**Wonder:** What three questions would you ask the artist/author/creator about the source?

**Define:** What five adjectives would you use to describe the source? Why?

**Purpose:** How would people have used or interacted with this source?

**Audience:** Who would have been using this source? Why do you think this source was created?

## BUILD

**What does this source mean to you?**

**History:** How does this source help you understand people's lives in the past?

**Real life:** Is there a source you use today that is similar to this one? Describe how they are similar and different from each other.

**Changes:** How has looking closely at the source changed your thoughts of it? What did you first think about it? What do you think now?

**Caption:** What could a caption for this source say? Make sure to include ideas you think are interesting about the source.

## Want to learn more?

Check out the Analyze It! section for worksheets and guided questions that take you through different types of sources so you can learn to think like a historian.



## What is a living document?

- It is a document that does not stay the same; it is edited or added to over time.
- It can be changed to reflect new ideas and principles.
- It should not be easy to change so that only important changes take place.
- It should not be easy to change so that it doesn't stray away from its original purpose.
- It might have rules for how to change or amend it.

The U.S. Constitution is a living document. Amendments can be added to reflect new ideas, but it is hard to add them. There are set rules for how to change the Constitution.

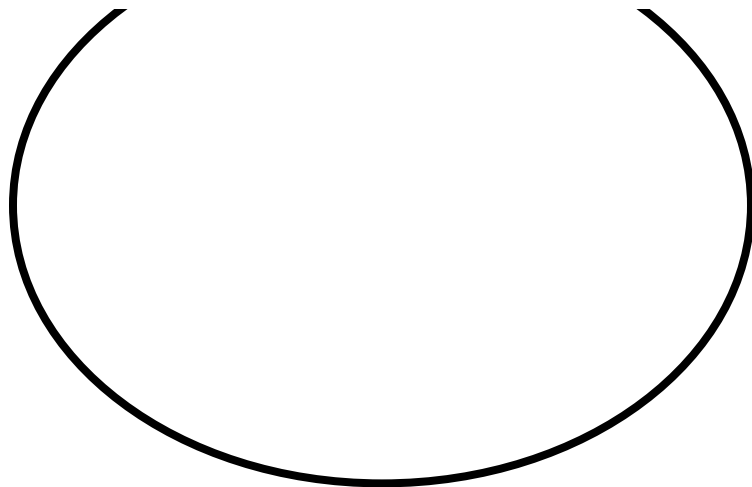


Lesson 18.2: What Is a Living Document?

Name \_\_\_\_\_

## Who Should Vote?

1. Map what you think or already know about who should vote.

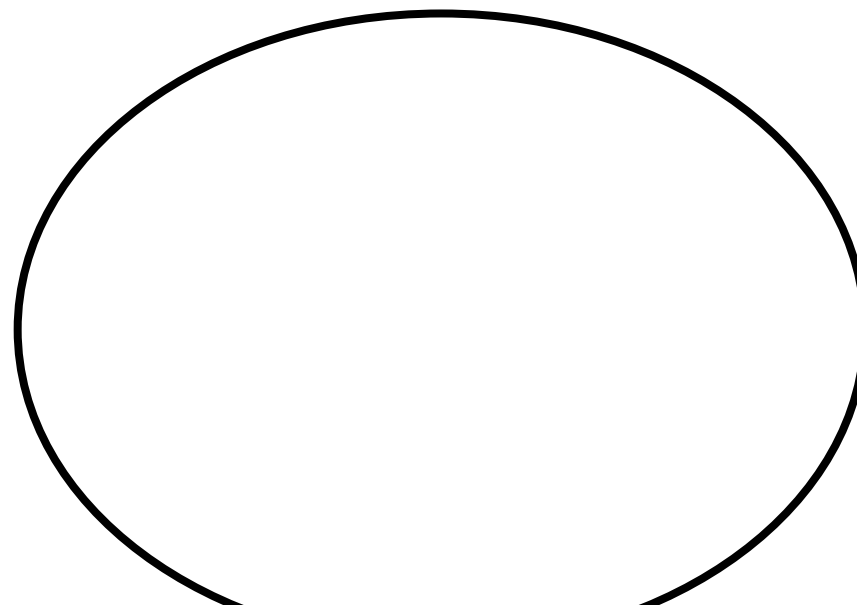


2. What did they think 250 years ago about who should vote?



Today

3. Reach forward 250 years. How do you think this issue might change?



4. Map how your thinking has changed. How do you view who should vote now?



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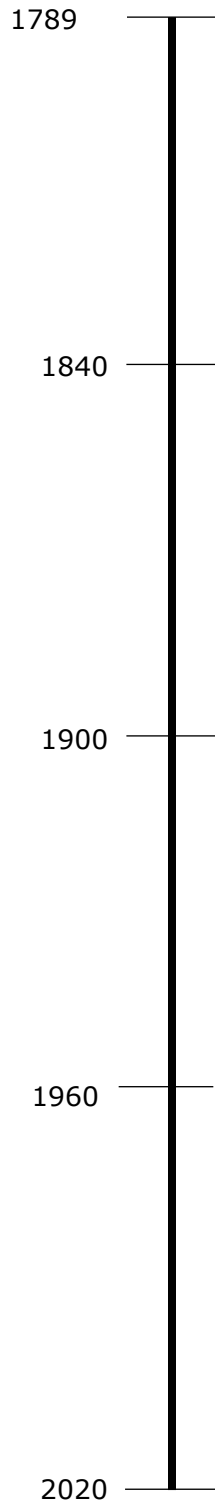
Name \_\_\_\_\_

## Who Could Vote? Timeline

As you learn about how the Constitution was amended for voting, add word art or illustrations appropriately to show the change in who could vote. Be sure to include dates!

**According to the U.S. Constitution, who could vote when?**

**How did it change as the country changed?**

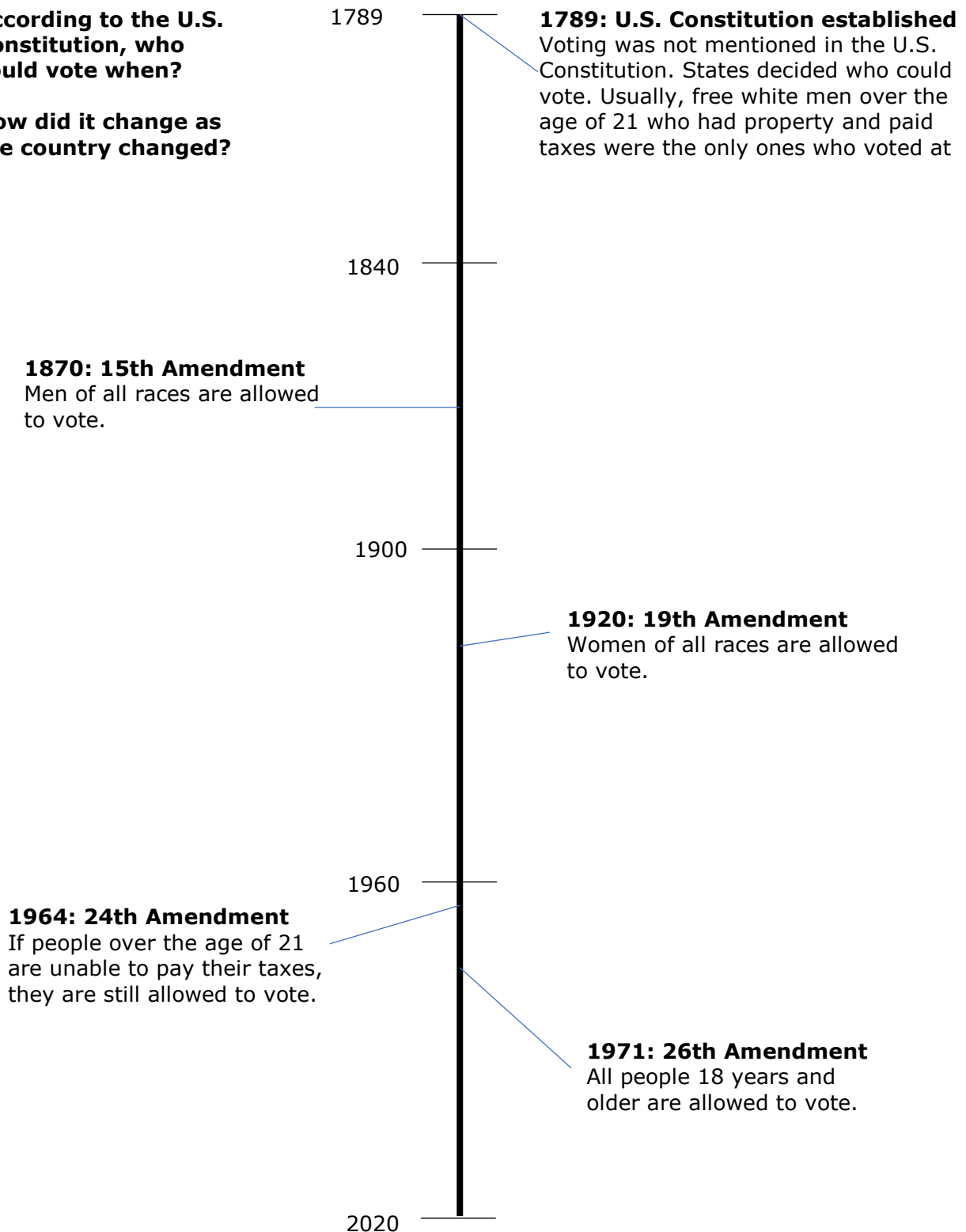




## Who Could Vote? Timeline

**According to the U.S. Constitution, who could vote when?**

**How did it change as the country changed?**





## Who Could Vote? Timeline Educator Notes

**According to the U.S. Constitution, who could vote when?**

**How did it change as the country changed?**

1789

**1789: U.S. Constitution established**

Voting was not mentioned in the U.S. Constitution. States decided who could vote. Usually, free white men over the age of 21 who had property and paid taxes were the only ones who voted at this time.

1840

**1870: 15th Amendment**

Men of all races are allowed to vote.

The Civil War ended in 1865 and slavery was outlawed by the 13th Amendment in 1865.

The 14th Amendment said people of all color born in the U.S. were citizens. These three amendments did not end the fight for racial equality, but they amended the Constitution to reflect a new legal standing for people of color.

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**1920: 19th Amendment**

Women of all races are allowed to vote.

Since 1848, there had been a decades-long fight for women's right to vote. World War I had ended in 1919 and women had contributed to the war effort in measurable ways. Again, this did not end the fight for women's equality, but it granted them the legal right to participate in government.

1960

**1964: 24th Amendment**

If people over the age of 21 are unable to pay their taxes, they are still allowed to vote.

This amendment was added in an effort to fight Jim Crow laws, which discriminated against people of color. Some states kept people from voting if they were unable to pay a poll tax, or fee for voting, which targeted people of color. This amendment outlawed that practice.

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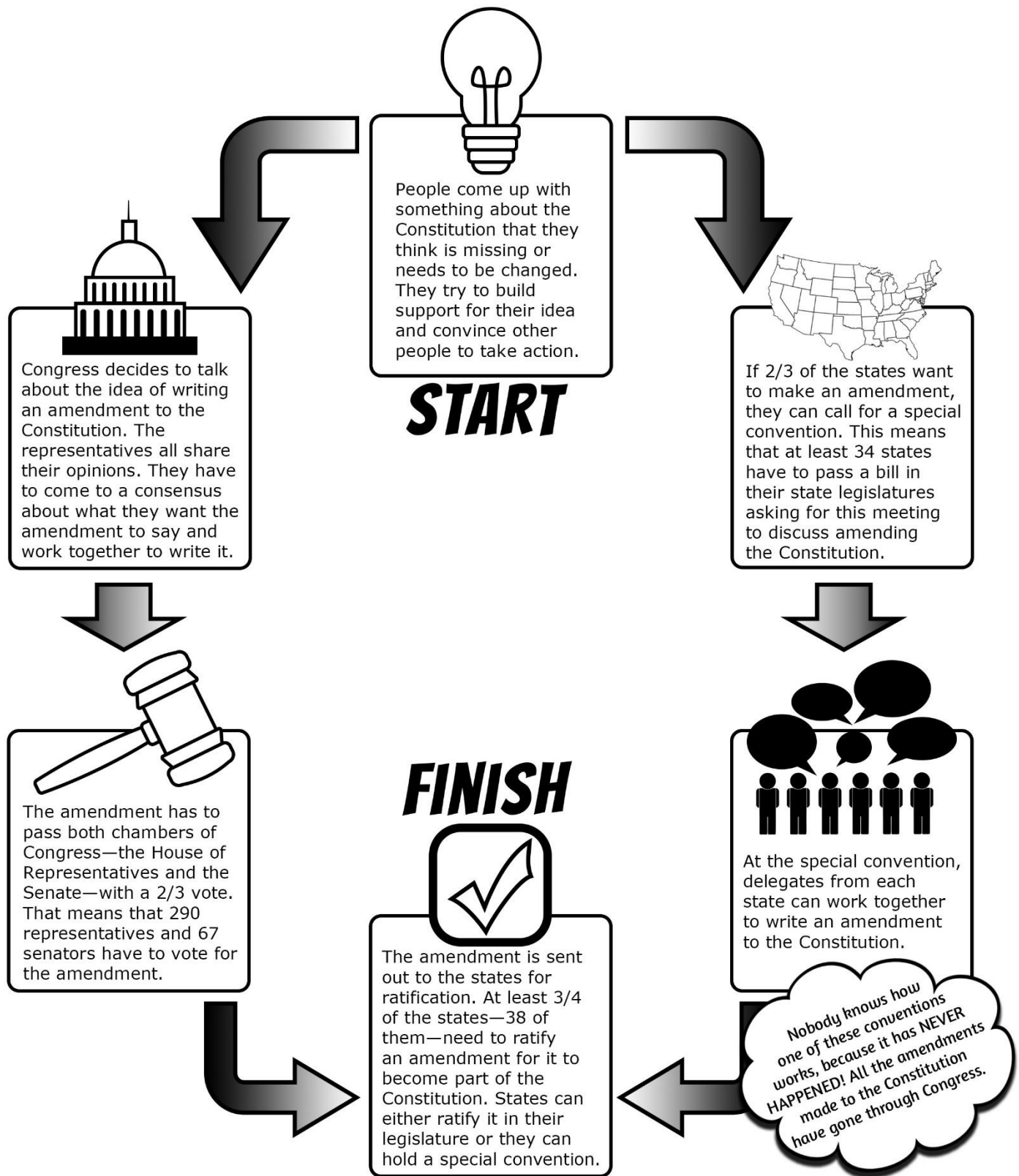
**1971: 26th Amendment**

All people 18 years and older are allowed to vote.

The Vietnam War was fought from 1955 to 1975 and a draft was instituted for men over the age of 18 to build the armed forces. This amendment lowered the age of voting in all states from 21 to 18 so that if one could become a soldier, one could vote.

# AMENDING THE U.S. CONSTITUTION

When the framers wrote the U.S. Constitution, they knew that the country would grow and change. They included a way to amend, or change, the Constitution to adapt to life in the future. But, they didn't want to make it TOO easy for people to add or change things! The two paths the framers came up with have checks and balances to make sure that any changes have widespread support.



1. What are some of the checks and balances that exist to make sure amendments have widespread support?
2. Why do you think there are two paths to make an amendment?
3. Why do you think the path of the state conventions has never happened?
4. Do you think making an amendment to the Constitution is too easy, too hard, or just right? Why?





**Too easy to amend!**

**Amendment process is  
just right.**

**Too hard to amend!**



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Name \_\_\_\_\_

## Your Living Document

How is the U.S. Constitution a living document? Make a claim, then provide evidence to back it up. Use your knowledge about who could vote and when to help you answer the question.

**Choose one to  
answer  
below:**

What amendment do you think should be added to the Constitution today? Why do you think so?

**OR**

Think about our country and the Constitution 250 years from now. What amendments do you think will have been added by then? Why do you think so?





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Name \_\_\_\_\_ Answer Key \_\_\_\_\_

## Your Living Document

How is the United States Constitution a living document? Make a claim, then provide evidence to back it up. Use your knowledge about who could vote when to help you answer the question.

**I think the United States Constitution is a living document because it can change when the country changes. If people think a different way about something, like enslaving people or women voting, the U.S. Constitution changes what it says about those things. It isn't stuck in the past and so it stays useful for the nation today.**

**Choose one to  
answer  
below:**

What amendment do you  
think should be added to  
the Constitution today?  
Why do you think so?

**OR**

Think about our country and Constitution 250  
years from now. What amendments do you  
think will have been added by then? Why do  
you think so?

**Answers will vary.**



## Considered Constitutional Amendments

These amendments were considered in Congress but not approved. This is not a complete list.

### 19th Century

- |      |  |
|------|--|
| 1838 | Anyone involved in a duel cannot hold federal office. Considered after one congressman killed another in a duel. |
| 1893 | Rename the United States of America to the United States of Earth. End the Army and the Navy.                    |

### 20th Century

- |      |  |
|------|--|
| 1911 | End the Senate.  |
| 1912 | People of different races cannot marry each other.   |
| 1933 | Put a limit on how much a person can earn in one year.   |
| 1995 | Limit the number of terms a congressperson can be reelected. There are currently no limits on the Senate and House of Representatives. The president may serve two four-year terms (22nd Amendment). |

### 21st Century

- |      |   |
|------|---|
| 2003 | People who have lived in the United States for at least 20 years and become citizens may become president. Currently, a person must have been born in the United States in order to become president. |
| 2017 | The president cannot pardon themselves of a crime. Currently, they can pardon others, and it is uncertain whether they can pardon themselves.   |
| 2020 | The Supreme Court can only have nine members. There is currently no limit although there are traditionally nine members.  |



## Constitutional Amendments Approved by Congress

These amendments were considered and approved by Congress. However, they were not ratified by enough states to become amendments. This is not a complete list.

| Amendment                                    | Topic  | Status   |
|--|--|--|
| Titles of Nobility Amendment                 | Would take citizenship away from any U.S. citizen who accepts a title of nobility from another country.  | Pending since May 1, 1810  |
| Equal Rights Amendment                       | Would outlaw discrimination based on sex. Currently, it is illegal to discriminate based on color, religion, or disability.  | Proposed March 22, 1972, but ratification period ended. Status has been questioned, and debate is ongoing.         |
| District of Columbia Voting Rights Amendment | Would treat the District of Columbia like a state in voting for representation in Congress and the process of amending the Constitution. Currently, the people of Washington, D.C., cannot vote on those issues. | Proposed August 22, 1978, but ratification period ended and amendment failed. However, it continues to be debated. |



## Amending the N.H. Constitution

How do you amend the N.H. Constitution? Lawyers at the New Hampshire law firm of Douglas, Leonard & Garvey, PC, explain that in 1784, when the N.H. Constitution went into effect, there were two ways to amend it.

### Convention Method

The First is in Part II, Article 100 and allows the legislature by only a majority vote to ask if there should be a convention called to consider amendments. The last one was in the 1980s, but since then the voters have not said they wanted one.

When conventions are held the voters elect people called delegates to meet and consider any and all ideas for amendments. Usually, such conventions come up with several amendments.

### Legislative Amendments

The other method is where the legislature by a 60% majority can see a problem, draft an amendment and send it on for the voters to consider at the next regular election.

No matter how the amendment gets to the voters, they must approve it by a vote of two-thirds on a statewide basis for it to take effect.

Using these two methods since 1784, there have been over 200 amendments to our state constitution.

1. Read through and highlight the details of the two ways to amend the N.H. Constitution. How similar and different is amending the U.S. Constitution and the N.H. State Constitution?
2. How can you illustrate the two ways of amending the N.H. Constitution? Use the back of the paper to make diagrams to show the two ways.





## Amending the New Hampshire Constitution

How do you amend the New Hampshire Constitution? New Hampshire lawyers Douglas, Leonard & Garvey, PC explain that in 1784, when the N.H. Constitution went into effect, there were two ways to amend it.

### Convention Method

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### Legislative Amendments

The other method is where the legislature by a 60% majority can see a problem, draft an amendment and send it on for the voters to consider it at the next regular election. No matter how the amendment gets to the voters, they must approve it by a vote of two-thirds on a statewide basis for it to take effect.

Using these two methods since 1784, there have been over 200 amendments to our State Constitution.

1. Read through and highlight the details of the two ways to amend the NH Constitution. How similar and different is amending the U.S. Constitution and the NH State Constitution?

**The legislature is involved in both the U.S. and NH Constitutions. However, the U.S. Constitution's amendments need to be approved by Congress and the states, and the NH Constitution needs to be approved by the legislature and the voters.**

2. How can you illustrate the two ways of amending the NH State Constitution? Use the back of the paper to make diagrams to show the two ways.

**Answers will vary.**