



Lesson 18.21 “The Amendment Process”

Unit 18: Civics and Government Today

Lesson Objectives

- Students will consider what it means for the Constitution to be a “living document.”
- Students will make a timeline of amendments 11–27 compared to other notable events in U.S. history.
- Students will reflect on how the amendments demonstrate change over time.

Lesson Competencies

- I can analyze and explain changes in society and how they impact people in the past and present. (Moose 4)
- I can analyze, use, and construct timelines to explain how events are related chronologically to each other and to explain probable causes and effects of events and developments. (Moose 3)
- I can analyze, interpret, evaluate, and use information delivered orally or visually. (ELA 7)

Essential Questions

How has New Hampshire come to be the way it is?
How has New Hampshire been shaped by many voices?

Focus Questions

How is a balance of power part of our democracy?

Estimated Time

One 45-minute class session

Materials & Equipment

Unit 18 Learn It!, “[Federalism and the Federal Government](#),” p. 5
Infographic: “Amending the U.S. Constitution”
Class set of “Amendments 11–27”
Materials for timeline making, physical (string, index cards, clothespins, sticky notes) or digital (Canva, Google Slides)
Class set of “Amendment Reflections”



Educator Introduction & Rationale

When the Framers wrote the U.S. Constitution in 1787, they wanted it to be a document that shaped the United States for the future, supporting societal, political, and economic change as the country developed. But they also wanted the document to guide the nation as it changed so that the people did not forget the principles and ideas that had inspired the document's creation. Because the Constitution was a founding document, it should not be easy to change, especially in response to sudden shifts in public opinion that might not last. But it also had to be flexible enough to meet whatever challenges or opportunities lay in the nation's future. The Framers' solution was Article V, which outlined processes to change the Constitution through amendments. They deliberately made it a long process that involves not just the national government but the state governments as well. The ratification of amendments also requires more than a simple majority; three-fourths of the states must agree. With such requirements, the process has been successfully implemented fewer than 20 times since 1789, with the first 10 amendments being ratified all at once. Six other proposed amendments have passed Congress but not the state conventions; countless more have been proposed in Congress but have not gotten further in the process. But the fact that the Constitution has been amended 27 times means that it is, by definition, a "living document," a term used to describe a document that is not fixed in time (as the declaration of Independence is) but rather changed and adopted to correct errors and stay relevant in changing times. This lesson explores the process, laid out in the Constitution itself, for how the document can be changed.

This lesson is the tenth lesson for middle school students in Unit 18: Civics and Government Today and although it can stand alone, it will have the biggest impact if students have already completed a unit on the U.S. Constitution and are familiar with the document. Students begin by brainstorming what the Framers couldn't have considered when the Constitution and Bill of Rights were originally written. Then, students will place amendments 11–27 on a timeline with contemporaneous events in American history, which will give students the chance to explore cause and effect, as well as change and continuity over time. Finally, an extension activity is available for students who are ready to analyze why some amendments have passed but others have failed.

Please adapt all the material in this lesson, as necessary, to meet the needs of the students in your classroom. Note that lesson vocabulary and definitions are at the end of this educators' guide. You may wish to preview these with your students.

Before the Learning Activity

Student reading and comprehension questions

Changes to the Constitution. Students should read from Unit 18 Learn It!, "[Federalism and the Federal Government](#)," p. 5, and the "Amending the U.S. Constitution" infographic.

After completing the reading, students should be able to answer:

1. Can the Constitution be changed? What is this called?
2. What are some of the checks and balances that exist to make sure amendments have widespread support?

Learning Activity

Activation

What changed? Ask students what aspects of modern life might surprise the Framers. Responses might include the internet, airplanes, social media, modern medicine, etc. Explore the question: Given how much the world has changed since the 18th century, how did the Framers write a document that has endured over 200 years?

Point out to students that although the Framers didn't know what changes would come, they knew society would change and that the government had to change with it. Ask if anyone can think of an example of something that wasn't covered in the Constitution when it was enacted in 1789 or in the Bill of Rights when it was ratified in 1791. Examples: ending slavery, expanded voting rights.

Have students reflect on what would have happened if the Constitution could not be amended to reflect these societal changes? Would the Constitution still be useable if it couldn't change?

Direct Instruction

Review with students that:

- 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 can 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

Independent Practice/Reflection

Timeline: America's Amendments. Provide students with a copy or project the list of amendments 11–27. If you have not covered the Bill of Rights, include the [infographic](#) detailing these amendments as well.



Students can use physical (string, index cards, clothespins, sticky notes) or digital (Canva, Google Slides) tools to build a timeline of these events. This could be done individually, in groups, or as a whole class.

After students have created their timeline, use the ["Moose on the Loose" timeline](#) to explore what else was going on in the United States and the world around the time these amendments were ratified. Have students add these events to the timeline. (Examples include: the Civil War, the founding of the NAACP, World War I, Seneca Falls Convention, radio becomes popular, Great Depression, World War II, Civil Rights Movement events, etc.)

Distribute the reflection sheets and review as a class as time permits.

Extension

Amendment Investigation. Many amendments have been considered by Congress but not approved. Six amendments have been approved by Congress but have not been ratified by the states. Explore these cases on the "Considered Constitutional Amendments" and "Constitutional Amendments Approved by Congress" worksheets. Invite students to discuss them and consider why these amendments might have failed. What else was happening in the country at that time that could have impacted the amendment's success?

A potential research project is to look closely at one or more amendment, using additional materials such as newspapers or magazine articles to trace the history of the amendment and why it failed or stalled at the state level. For example, the Equal Rights Amendment, first proposed in 1923 and in the news again in recent years, has a robust history that illuminates political and societal change over the past 100 years.

Supporting Materials

Other Resources

- Amendments 11–27: <https://www.archives.gov/founding-docs/amendments-11-27>
- Project Zero’s Thinking Routine Toolbox is an amazing resource for all teachers: <pz.harvard.edu/thinking-routines>
- Douglas, Leonard & Garvey, PC. *How Do You Amend the New Hampshire Constitution?*
www.nhlawoffice.com/ourblogs/2018/november/how-do-you-amend-the-new-hampshireconstitution-/

Proposed Amendment Handouts Sources:

- Amending America: Proposed Amendments to the United States Constitution, 1787 to 2014
www.archives.gov/open/dataset/amendments.html
- Proposed Amendments.
www.constitutionfacts.com/usconstitution-amendments/proposed-amendments/
- Proposed Amendments Not Ratified by States.
www.govinfo.gov/content/pkg/GPO-CONAN-1992/pdf/GPOCONAN-1992-8.pdf
- Pumphrey, Clint. “10 Weirdest Failed Constitutional Amendments” on How Stuff Works.
people.howstuffworks.com/10-weirdest-failed-constitutional-amendments.htm#pt11

Additional resources about amending the Constitution:

- Annenberg Classroom’s Our Constitution “Chapter 4: How Has the Constitution Expanded Over Time?”
www.annenbergclassroom.org/resource/ourconstitution/constitution-chapter-4-constitution-changed-time/
- Supreme Court Justices Antonin Scalia and Stephen Breyer discuss originalism and a living Constitution in the Senate.
www.c-span.org/classroom/document/?9505 (5 minutes)



Standards

New Hampshire Social Studies Frameworks:

- ✓ Civics and Governments: Structure and Function of United States and New Hampshire Government (SS:CV:8:2.1, SS:CV:8:2.3)

NCSS Themes:

- ✓ Theme 2: Time, Continuity, and Change
- ✓ Theme 5: Individuals, Groups, and Institutions
- ✓ Theme 6: Power, Authority, and Governance
- ✓ Theme 10: Civic Ideals and Practices

C3 Frameworks:

- ✓ Civic and Political Institutions (D2.Civ.3.6-8, D2.Civ.5.6-8,)
- ✓ Change, Continuity, and Context (D2.His.2.6-8)

Common Core ELA:

- ✓ Key Ideas and Details (RH.6-8.1)
- ✓ Craft and Structure (RH.6-8.5)
- ✓ Text Types and Purposes (WHST.6-8.1b)
- ✓ Research to Build and Present Knowledge (WHST.6-8.9)

Lesson Vocabulary

- amend** (verb) To revise or change
- amendment** (noun) An addition to an existing document; in the U.S. Constitution, the amendments come after the original document
- constitution** (noun) A document laying out the rules for how a government will work
- Constitution** (noun) The document that lays out the framework for how the federal government works; written in 1787 and ratified in 1789
- democracy** (noun) A government ruled by majority vote of the people
- living document** (noun) A written statement that is added to or changed through time