



## Common Core Sample Lesson Teaches 'Evolving Nature of Constitution'

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A sample Common Core lesson plan for 8th graders, provided by a nonprofit group founded by the three lead writers of the Common Core standards, teaches that the U.S. Constitution is an “evolving” document and that the nation’s founders only considered white males with property as persons under the law.

Student Achievement Partners, founded by Common Core “architect” David Coleman – now College Board president – and lead writers of the standards Jason Zimba and Susan Pimentel, provide the classroom resource. The education group received \$6.5 million from the Bill and Melinda Gates Foundation, the main source of private funding for the Common Core, and is focused solely on implementation of the Common Core standards.

As CNS News notes, the lesson plan is based on *Words We Live By: Your Annotated Guide to the Constitution* by Linda R. Monk, which is listed as a suggested reading for 8<sup>th</sup> graders on page 95 of the Common Core Standards.

Student Achievement Partners states that the goal of the sample “two-day” lesson is “to give students the opportunity to observe the dynamic nature of the Constitution through the close reading and writing habits they’ve been practicing.”

“When combined with writing about the passage, not only will students form a deeper appreciation of Monk’s argument and the value of struggling with complex text, but of the Preamble of the Constitution itself,” states the Common Core proponents.

Monk’s premise is as follows, with boldfaced terms labeled “academic vocabulary”:

From “*The Preamble: We the People*”

The first three words of the Constitution are the most important. They clearly state that the people—not the king, not the legislature, not the courts—are the true rulers in American government. This principle is known as popular sovereignty.

But who are “We the People”? This question troubled the nation for centuries. As Lucy Stone, one of America’s first advocates for women’s rights, asked in 1853, “We the People”? Which ‘We the People’? The women were not included.” Neither were white males who did not own property, American Indians, or African Americans—slave or free. Justice Thurgood Marshall, the first African American on the Supreme Court, described the limitation:

for a sense of the evolving nature of the constitution, we need look no further than the first three words of the document’s preamble: ‘we the people.’ when the founding fathers used this phrase in 1787, they did not have in mind the majority of America’s citizens . . . the men who gathered in Philadelphia in 1787 could not... have imagined, nor would they have accepted, that the document they were drafting would one day be construed by a Supreme Court to which had been appointed a woman and the descendant of an African slave.

Through the Amendment process, more and more Americans were eventually included in the Constitution’s definition of “We the People.” After the Civil War, the Thirteenth Amendment ended slavery, the Fourteenth Amendment gave African Americans citizenship, and the Fifteenth Amendment gave black men the vote. In 1920, the Nineteenth Amendment gave women the right to vote nationwide, and in 1971, the Twenty-sixth Amendment extended suffrage to eighteen-year-olds.

The lesson plan instructs teachers “to reinforce the concept that the U.S. Constitution is a living document” and recommends that “students could investigate an area of debate where the interpretation of an Amendment or amending the Constitution is central to the argument and then debate it in class.” Student Achievement Partners suggests possible areas of debate in which interpretation of an Amendment or actually amending the Constitution are considered are “gun control, balancing the federal budget, gay marriage, or even the legality of selling alcohol.”

The recommended Common Core lesson plan presumes as fact that the Constitution is a “living document,” or one that can be interpreted differently from what was intended by the founders.

Supreme Court Justice Antonin Scalia, however, challenged this notion and defended an originalist interpretation of the Constitution in a speech titled, “Interpreting the Constitution: A View from the High Court.”

“The Constitution is not a living organism,” stated Scalia. “It’s a legal document, and it says what it says and doesn’t say what it doesn’t say.”

Breitbart News’ Senior Legal Analyst Ken Klukowski reacted to the Common Core lesson plan:

“The Constitution never evolves. In fact, that is the precise reason that Founders of our nation made it the first written constitution in world history: So that it would be comprised of written words, that have fixed meanings, that every citizen in America could read and hold their leaders accountable to follow. That is why the only legitimate way for federal judges to interpret the Constitution is in accordance with the original meaning of the words at issue in any given lawsuit.

“The Framers of the Constitution knew that the document they were writing would be imperfect and occasionally need to be changed (one of the best examples being the amendments to end slavery and racially-discriminatory laws),” continued Klukowski, “but the only process to make those changes is by altering the Constitution's words through an amendment or a Constitutional Convention.”

“Changing the Constitution's actual written words is the sole means by which We the People determine what the Supreme Law of the Land shall be,” he added. “Anything else violates our democratic form of government in which the American people govern themselves, and empowers unelected federal judges to trump the democratic process, and subvert the very law they are sworn to uphold.”

In addition, Roger Pilon, director of the Cato Institute's Center for Constitutional Studies, told CNS News.com that it is incorrect to teach students that those who could not vote under the original Constitution were not legally considered persons.

“Women were considered persons even though they didn't have the right to vote,” he said. “One of the privileges of citizenship is the right to vote, but then you have to define it. Seventeen-year-olds don't have the right to vote, for example. They're still persons.”