

# The Earth is for the Living

## General

### Grade Level

Middle School

### Author Info

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### Type of Lesson

Challenge

### Type of Project (Individual/Group/Both)

Group

### Duration

30-60 minutes

## Challenge Question

Thomas Jefferson thought the Constitution should have had a “sunset clause” allowing each generation to rewrite it to keep the Spirit of 1776 alive. In your group, decide whether your generation should completely rewrite it or just amend it to meet your needs. What specific changes would you make?

## Rationale

Students need to understand that the United States Constitution was designed to be a living document that retains the spirit of the founders. They need to be able to connect it to their needs and aspirations. This exercise should help them also see if they would have been in Thomas Jefferson’s camp or that of James Madison. It should be attempted after covering the Constitutional Convention and the documents produced.

Common Core State Standards:

WHST 6-8.1- Write arguments focused on discipline-specific content.

WHST6-8.6 – Use technology, including the Internet, to produce and publish writing and present the relationships between information and ideas clearly and effectively.

Virginia Standards of Learning:

US I.1 The student will demonstrate skills for historical and geographical analysis and responsible citizenship including the ability to

b.- make connections to past and present

US I.7 The student will demonstrate knowledge of the challenges faced by the new nation by

b.- describing the historical development of the Constitution of the United States

## Notes to Teacher

A quote from Thomas Jefferson's letter to James Madison in 1789 stated, "The question Whether one generation of men has a right to bind another. . . is a question of such consequences as not only to merit decision, but place also among the fundamental principles of every government. . . . I set out on this ground which I suppose to be self evident, 'that the earth belongs in usufruct to the living'. . . ." This letter was Jefferson's last in a two year correspondence with Madison on the proposed Bill of Rights. The term "usufruct" means the right to use something (property, land, etc.) without its destruction or waste. This is the basis of this challenge. In light of this, he felt the Constitution should have a "sunset clause" which would allow each succeeding generation to rewrite it. This sentiment goes beyond the amendment process. Students will need previous background on the Constitution, Bill of Rights, and amendments. They also need to know that Jefferson's concept of a generation was nineteen years (using French mortality tables to derive this number); today a generation is now considered twenty-four to twenty-five years.

## Steps

1. Review the US Constitution and Amendments (from your textbook or an online copy) if you need to do so.
2. In your groups, decide by majority rule whether you would rewrite or just amend the Constitution to meet your needs and aspirations. Allow for a reasonable discussion before you vote.
3. Now list the specific changes your group would make, and be prepared to share them with the whole class.
4. Create a digital poster of your ideas using the Text/Image tool on the Sea of Liberty website