



# YALE NATIONAL INITIATIVE

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Curriculum Units by Fellows of the National Initiative  
2020 Volume III: Politics and Public Policy in the United States

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## **The Supreme Court: Allowing and Constraining Constitutional Change**

Guide for Curriculum Unit 20.03.05, published September 2020  
by Christina Marsett

This unit is meant to provide students with an understanding of the ways that the Constitution both allows for and limits change, in the context of the judicial branch's Supreme Court. The unit is designed to fill in curricular gaps, relating to the Constitution and branches of government that it creates, by guiding students through a close analysis of one branch. In working through this unit, students will gain an understanding of the Constitutional articles that define the Court's role, as well as the implied powers that have developed over time, to set a precedent for how this branch of government functions. Context is provided by examining the ideology of Supreme Court justices and their reaction to public opinion at three different points in time—following the Civil War, during the Civil Rights Era, and today. This progression will demonstrate the fact that a conservative set of justices is likely to prevent the government from changing despite legislation that seeks to do the opposite, while a liberal set of justices can result in an expansion of the power of the federal government. Students will then have the opportunity to extend their learning, as they analyze the makeup of the present-day Supreme Court and determine whether recent rulings have allowed for or prevented political change. This unit addresses the 9-12 grade benchmark for Delaware Civics Standard Two.

(Developed for Civics and Geography, grade 9; recommended for Government, grades 9-12)

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