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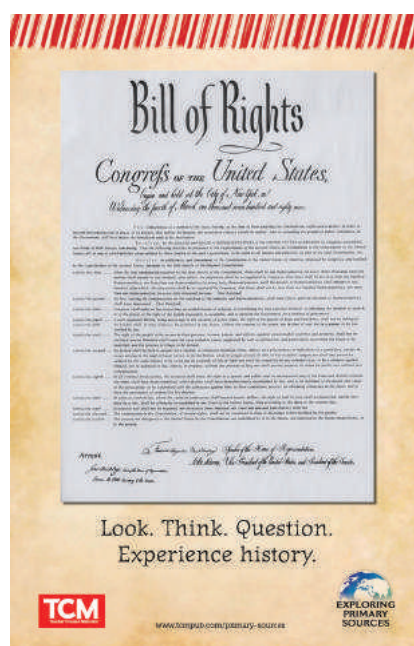


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Bill of Rights

Congress OF THE United States,

*begun and held at the City of New York, on
Wednesday, the fourth of March, one thousand seven hundred and eighty nine.*

The Conventions of a number of the States having, at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best insure the beneficent ends of its institution:

Resolved, by the SENATE and HOUSE of REPRESENTATIVES of the UNITED STATES of AMERICA in Congress assembled, two thirds of both Houses concurring. That the following Articles be proposed to the Legislatures of the several States, as Amendments to the Constitution of the United States; all, or any of which articles, when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes, as part of the said Constitution, viz.

Articles in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the Original Constitution.

Article the first After the first enumeration required by the first Article of the Constitution, there shall be one Representative for every thirty thousand, until the number shall amount to one hundred, after which, the proportion shall be so regulated by Congress, that there shall be not less than one hundred Representatives, nor less than one Representative for every forty thousand persons, until the number of Representatives shall amount to two hundred, after which, the proportion shall be so regulated by Congress, that there shall not be less than two hundred Representatives, nor more than one Representative for every fifty thousand persons. [Not Ratified]

Article the second No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened. [Not Ratified]

Article the third Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Article the fourth A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Article the fifth No Soldier shall, in time of peace, be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

Article the sixth The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Article the seventh ... No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or Naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case, to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

Article the eighth In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.

Article the ninth In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact, tried by a jury, shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

Article the tenth Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Article the eleventh .. The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Article the twelfth The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

ATTEST,

John Beckley, Clerk of the House of Representatives.

Sam. A. Otis, Secretary of the Senate.

Frederick Augustus Muhlenberg, Speaker of the House of Representatives.

John Adams, Vice-President of the United States, and President of the Senate.

Look. Think. Question.
Experience history.

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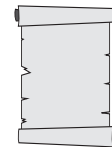
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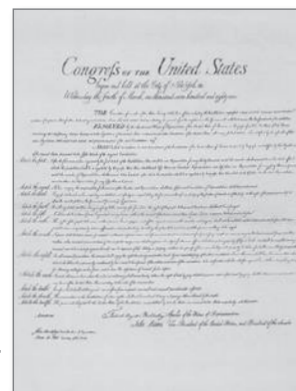
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With Liberty and Justice for All

Learning Outcomes

- Students will be able to explain the history of the first ten amendments to the Constitution.
- Students will identify the significance of the Bill of Rights.



Materials

- *Bill of Rights* reproduction (billofrights.pdf)
- copies of *Liberties for All* (page 89; brights1.pdf)
- copies of *Text of the Bill of Rights* (page 90; rights.pdf)
- copies of *Defending the Bill of Rights* (page 91; defending.pdf)
- copies of the *Freedom to Worship* document-based assessment (page 92; worship.pdf)

Essential Question

- Why is it necessary to recognize the rights of individuals?

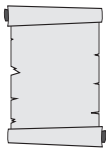
Guiding Questions

- What freedoms does the Bill of Rights specifically mention?
- The First Amendment addresses the freedom of religion among other personal freedoms. What historical events made this freedom so important to people?
- A phrase used in courtrooms is “I plead the fifth.” What right does the Fifth Amendment protect?
- What amendments in the Bill of Rights may not be necessary anymore?



Introducing the Primary Source

1. Lead a discussion about what it would be like if these individual rights were taken away. Explain that they will be learning about the first ten amendments to the Constitution, known as the Bill of Rights. These amendments guarantee many individual rights that people might regularly take for granted.
2. Share the *Bill of Rights* reproduction, and ask students to study it carefully. Then, project the digital image and distribute copies of *Text of the Bill of Rights* for students to analyze more closely. Give students a few minutes to make observations or ask questions they have about the text.
3. Introduce the essential question, and use the provided guiding questions to discuss the Bill of Rights. Encourage students to ask their own questions to facilitate further inquiry.



With Liberty and Justice for All *(cont.)*

Analyzing the Primary Source

1. Have small groups of students read the background information, *Liberties for All*. (A copy of this text at a lower reading level is provided in the Digital Resources—bgrights2.pdf). Review key words with students as necessary. As students read, they should annotate the text by underlining what they already know and circling parts they have questions about.
2. Distribute copies of *Defending the Bill of Rights*. Tell students they will use the reproduction and the *Text of the Bill of Rights* to complete the activity.
3. Have students compare the text of the ratified Bill of Rights to the text in the reproduction to note that articles three through twelve became the first ten amendments to the Constitution. Each amendment in the Bill of Rights was vigorously debated. Students will become supporters of specific amendments and act as if they were lobbyists trying to get representatives to keep their amendments in the Bill of Rights.
4. After students complete the activity pages individually, place them into groups based on the amendments they chose to support. Within their groups, have students create large posters supporting their amendments. The students should first share their plans and combine them to create one strong, persuasive poster per group. (Some amendments may have multiple groups, depending on how many students choose each amendment.) The posters should not only explain what the amendment provides, but also explain why the amendment should not be excluded from the document.

Document-Based Assessment

- Distribute copies of *Freedom to Worship*. A digital copy of the primary source is provided in the Digital Resources (worship.jpg).
- Have students think about what they've learned throughout this lesson, carefully analyze the primary source, and respond thoughtfully to the questions.

Key Words

These key content words are included in both levels of the background information.

- **delegates**—people with power that represent others
- **liberties**—freedoms
- **lobbied**—tried to persuade public officials



Liberties for All

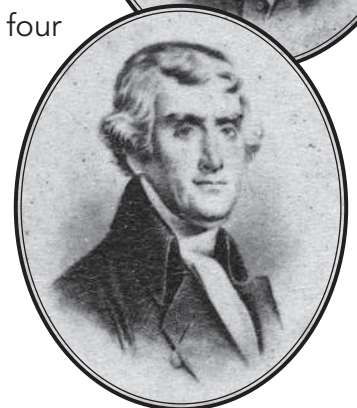
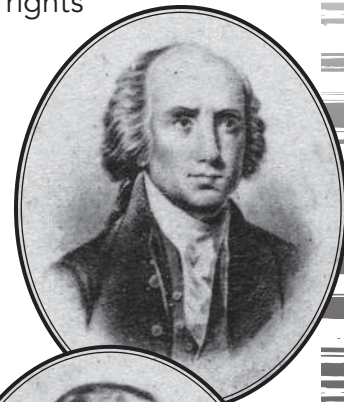
In the summer of 1787, the **delegates** to the Constitutional Convention worked very hard to create a Constitution for the United States. Extensive debates occurred during this time because each state wanted different things included in the Constitution.

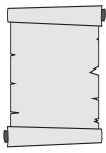
After the Constitution was written and accepted by Congress, it was presented to the states for their approval. But one important figure was very vocal that he disliked the new Constitution. George Mason of Virginia said, "It has no declaration of rights!" Mason had written a Bill of Rights in the Virginia state constitution. He **lobbied** hard for one to be included in the United States Constitution. Unfortunately, he was not successful at the Constitutional Convention. So, he refused to support the drafted Constitution without a Bill of Rights.

The states held conventions to discuss the new Constitution. They also had to decide whether to ratify it. This caused more debating within the states. Many states began adding their own amendments to the Constitution. This meant the other states had to approve the new amendments. There were two heavily debated topics. One was the rights of individual citizens. The other was how to prevent Congress from having too much power. Some patriots, such as Patrick Henry, argued that the Constitution was unclear. They also believed it was too brief in describing the **liberties** of the people.

The idea of a Bill of Rights had been brought up at the Constitutional Convention in Philadelphia. But most delegates felt the Constitution already secured the rights of individuals. Since the government balanced the powers between the three branches, the delegates felt individuals' rights would be protected. There was no one person or group that would have the power to rule the people. The debates continued in the states for several months. They wanted to be sure they would keep the freedom they had fought so hard to win.

Most citizens favored a Bill of Rights. Soon, important leaders also began to support it. James Madison and Thomas Jefferson both expressed their support. Using inspiration from Jefferson and Mason, Madison wrote the Bill of Rights. This helped Madison gain support from the anti-federalists. The anti-federalists opposed a large central government. They feared it would threaten the rights of individual citizens. By gaining support of the anti-federalists for a Bill of Rights, Madison was able to get several amendments passed. The amendments were sent to each state for ratification. Three-fourths of the states ratified the Bill of Rights. This was in December 1791, after four years of debates. The Bill of Rights has remained in place ever since.





Text of the Bill of Rights

Amendment I—Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceable to assemble, and to petition the government for a redress of grievances.

Amendment II—A well regulated militia, being necessary to the security of a free state, the right of the people to keep and bear arms, shall not be infringed.

Amendment III—No soldier shall, in time of peace be quartered in any house, without the consent of the owner, nor in time of war, but in a manner to be prescribed by law.

Amendment IV—The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

Amendment V—No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

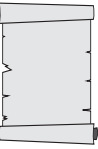
Amendment VI—In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

Amendment VII—In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any court of the United States, than according to the rules of the common law.

Amendment VIII—Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Amendment IX—The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Amendment X—The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.



Defending the Bill of Rights

About the Document

The Constitution was created by Congress in 1788. When it was presented to the states for their approvals, not everyone agreed with the document. The anti-federalists felt the existing Constitution did not preserve individual citizen's rights. They feared the central government would be too powerful. Finally, a compromise was reached. A Bill of Rights would be added. It would state the rights of individual citizens. Both sides of the issue accepted it. The Bill of Rights was added to the Constitution in December 1791.

Directions: Each amendment in the Bill of Rights was heavily debated. Pick one specific amendment that you support. You are going to learn about the amendment. Then, you'll assume the role of a lobbyist trying to get the representatives to keep your amendment in the Bill of Rights.

1. Which amendment will you research?

2. Read about the amendment you choose. Think about these questions:
Why was it created? Who does it help? Why is it important?

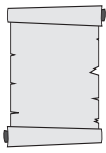
3. Why must this amendment be in the Bill of Rights?

4. Sketch a plan for a poster supporting your amendment. The poster needs to explain what the amendment is and why it's important. Make sure the poster also includes who the amendment helps or protects.



Challenge

Research the constitutions of states and countries. Do they provide or protect rights for individual citizens? Create a chart comparing the rights listed in a few of those documents with the rights included in the Bill of Rights.



Name _____ Date _____

Freedom to Worship

Directions: Use the image to answer the questions



1. What can you tell about the people in the photograph?

2. How does language in the Bill of Rights affect the people at this moment?

3. How might this photograph be different without the Bill of Rights protecting the people's freedom to worship in their own way?
