

Why should we care about the Bill of Rights?

Dear Educator,

Thank you for your interest in *The Bill of Rights in Real Life* distance learning program from the National Archives for grades 6–8! During this program, students will focus on the rights and limitations within the Bill of Rights. They will identify Bill of Rights issues using historical scenarios from the holdings of the National Archives and learn why it is important for citizens to know their rights.

Within this guide, you will find everything you need to prepare your class for the upcoming videoconference program, including a **pre-program activity** and guidance for the distance learning program materials. Hyperlinks are denoted in blue throughout the guide.

During the videoconference, students will need:

- ❑ A copy of the **Bill of Rights**, the full text from the pre-program activity, or one of the alternative versions provided in this guide
- ❑ A **red sign and a green sign**, you can print these signs from the guide, or make your own by distributing pieces of red and green paper to each student
- ❑ The printed **scripted scenario** roles to be assigned to three student volunteers
- ❑ Copies of the **Katz v. The United States document** for students to share during the program (optional)

If you have any questions, please contact us at distancelearning@nara.gov.

We look forward to seeing you soon!

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National Standards Alignment

NATIONAL CENTER FOR HISTORY IN THE SCHOOLS HISTORY STANDARDS

United States History Content Standards for Grades 5-12 United States Era 3 Standard 3B
The student understands the guarantees of the Bill of Rights and its continuing significance.

NATIONAL STANDARDS FOR CIVICS AND GOVERNMENT

NSS-C.5-8.2.A.1

The American idea of constitutional government. Students should be able to explain how specific provisions of the United States Constitution, including the Bill of Rights, limit the powers of government in order to protect the rights of individuals, e.g., habeas corpus; trial by jury; ex post facto; freedom of religion, speech, press, and assembly; equal protection of the law; due process of law; right to counsel.

NSS-C.5-8.5.B.2

Political rights. Students should be able to evaluate, take, and defend positions on issues involving political rights.

NSS-C.5-8.3.E.1

The place of law in American society. Students should be able to explain the importance of law in the American constitutional system. To achieve this standard, students should be able to explain the importance of the rule of law in establishing limits on both those who govern and the governed protecting individual rights.

NSS-C.5-8.5.C.2

Civic responsibilities. Students should be able to evaluate, take, and defend positions on the importance of civic responsibilities to the individual and society.

COMMON CORE STATE STANDARDS

CCSS.ELA-LITERACY.RI.8.1

Cite the textual evidence that most strongly supports an analysis of what the text says explicitly as well as inferences drawn from the text.

CCSS.ELA-LITERACY.SL.8.1

Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grade 8 topics, texts, and issues, building on others' ideas and expressing their own clearly.

CCSS.ELA-LITERACY.SL.8.1.A

Come to discussions prepared, having read or researched material under study; explicitly draw on that preparation by referring to evidence on the topic, text, or issue to probe and reflect on ideas under discussion.

CCSS.ELA-LITERACY.SL.8.2

Analyze the purpose of information presented in diverse media and formats (e.g., visually, quantitatively, orally) and evaluate the motives (e.g., social, commercial, political) behind its presentation.

CCSS.ELA-LITERACY.RH.6-8.1

Cite specific textual evidence to support analysis of primary and secondary sources.

CCSS.ELA-LITERACY.RH.6-8.2

Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge or opinions.



Guidance for Pre-Program Activity

RIGHTS AND LIMITATIONS ACTIVITY (REQUIRED) TIME: 45 MINUTES

MATERIALS:

- ❑ Rights and Limitations Activity (includes a copy of the Bill of Rights)
- ❑ 2 different colored highlighters, pens, or colored pencils

Teacher Note: This activity is a review of the rights and limitations in the Bill of Rights.

STUDENT INSTRUCTIONS:

1. On your own, read through the Bill of Rights, highlighting or circling every use of the word “right” in one color.
2. Then, read through the Bill of Rights again, using a different color to highlight or circle the negative words (no, not, nor).
3. In pairs, use your highlighted copies to answer the questions on the last page of this activity.

VARIATIONS:

Before the pre-program lesson, you may find it helpful to review some of the vocabulary from the Bill of Rights. You can use the list of key words below, or use your preferred vocabulary review method with the text of the Bill of Rights.

For striving readers, you may want to provide a supplemental version of the Bill of Rights. We have provided a more accessible version of the Bill of Rights on page 7. You can also find this version [here](#).

Or, you can share this [pictorial guide*](#) to the Bill of Rights.

**Please note this document was published in 1991 and does not include the 27th amendment.*

During the distance learning program, we strongly recommend that students have a copy of the Bill of Rights from the pre-program activity or one of these supplemental versions to use as reference.

BILL OF RIGHTS IN REAL LIFE VOCABULARY

petition: a written request, often signed by many people, asking the government to fix a problem

redress of grievances: to fix something that is thought to be wrong or unfair

warrant: a document issued by a judge and obtained by law enforcement that permits the search and seizure of people and their property

due process of law: fair legal procedures and trials

assistance of counsel: help of a lawyer during a trial

enumeration: the listing of



Pre-Program Activity: Rights and Limitations

THE BILL OF RIGHTS IS THE FIRST TEN AMENDMENTS TO THE CONSTITUTION. It spells out Americans' rights in relation to their government. It guarantees civil rights and liberties to the individual—like freedom of speech, press, and religion. The Bill of Rights also protects individual rights by placing limitations on the government. James Madison introduced the first draft of the Bill of Rights to the Congress in June of 1789. He encouraged Congress to pass the Bill of Rights as a way to increase support for the new United States Constitution. The first ten amendments were officially ratified by three fourths of the States on December 15, 1791. During the distance learning program with the National Archives, you will see examples of the Bill of Rights in real life.

But first, this activity will help you become familiar with the rights and limitations in the Bill of Rights.

INSTRUCTIONS:

1. On your own, read through the Bill of Rights, highlighting or circling every use of the word “right” in one color.
2. Then, read through the Bill of Rights again, using a different color to highlight or circle the negative words (no, not, nor).
3. In pairs, use your highlighted copies to answer the following questions on the last page of this activity.

The Bill of Rights

*Note: The following text is a transcription of the first ten amendments to the Constitution in their **original form and spelling**.*

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 peaceably 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 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.

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 defence.

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 re-examined 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.

DID YOU KNOW?

The Bill of Rights originally only applied to the federal government. The ratification of the 14th Amendment led to the Supreme Court gradually applying certain parts of the Bill of Rights to the States through a process called selective incorporation.



Questions

1. With a partner, discuss the different places where you highlighted the word “right.” Who do the rights belong to in the Bill of Rights? (Think broadly, but you can also list specific examples from the document.)

2. Next, review the different places where you highlighted a negative word (no, not, nor). These statements indicate limitations. Who or what does the Bill of Rights place limitations on? (Think broadly, but you can also list specific examples from the document.)

3. Limitations in the first ten amendments also protect rights. Choose one limitation and explain the right it protects. For example, the Fifth Amendment states “nor shall private property be taken for public use, without just compensation.” This can also be read as people have a right to be fairly compensated for private property taken by the government.

4. Think about how this document applies to you, after all, you are one of the “people” protected by the Bill of Rights! What aspects of your life does the Bill of Rights influence and protect? You can think of immediate examples, or hypothetical scenarios.



The Bill of Rights: What Does it Say?

THE FIRST AMENDMENT

The First Amendment provides several rights and/or protections: to express ideas through speech and the press, to assemble or gather with a group to protest or for other reasons, and to ask the government to fix problems. It also protects the right to religious beliefs and practices. It prevents the government from creating or favoring a religion.

THE SECOND AMENDMENT

The Second Amendment protects the right to bear arms.

THE THIRD AMENDMENT

The Third Amendment prevents government from forcing homeowners to allow soldiers to use their homes. Before the Revolutionary War, laws gave British soldiers the right to take over private homes.

THE FOURTH AMENDMENT

The Fourth Amendment bars the government from unreasonable search and seizure of an individual or their private property.

THE FIFTH AMENDMENT

The Fifth Amendment provides several protections for people accused of crimes. It states that serious criminal charges must be started by a grand jury. A person cannot be tried twice for the same offense (double jeopardy) or have property taken away without just compensation. People have the right against self-incrimination and cannot be imprisoned without due process of law (fair procedures and trials).

THE SIXTH AMENDMENT

The Sixth Amendment provides additional protections to people accused of crimes, such as the right to a speedy and public trial, trial by an impartial jury in criminal cases, and to be informed of criminal charges. Witnesses must face the accused, and the accused is allowed his or her own witnesses and to be represented by a lawyer.

THE SEVENTH AMENDMENT

The Seventh Amendment extends the right to a jury trial in Federal civil cases.

THE EIGHTH AMENDMENT

The Eighth Amendment bars excessive bail and fines and cruel and unusual punishment.

THE NINTH AMENDMENT

The Ninth Amendment states that listing specific rights in the Constitution does not mean that people do not have other rights that have not been spelled out.

THE TENTH AMENDMENT

The Tenth Amendment says that the Federal Government only has those powers delegated in the Constitution. If it isn't listed, it belongs to the states or to the people.



Guidance for Videoconference Program Materials

1. The Bill of Rights from the Rights and Limitations Pre-Program Activity

During the videoconference program, students can use one of the versions of the Bill of Rights from the Rights and Limitations Pre-Program Activity to answer questions. This will come in handy when they need to identify which amendment they see in action or in trouble.

2. Red and Green Sign Handouts or Green and Red Pieces of Paper

Pages (9-10) of this teacher guide can be printed double sided and distributed to each student. Or, you can have students create their own signs by using a single sheet of paper and red and green colored pencils or crayons. Pieces of red and green paper will also work. During the program, the NARA facilitator will ask students to show the green sign when they hear or see an example of people exercising one of the first ten amendment rights. The NARA facilitator will then ask for a volunteer to identify that amendment in the document or scenario. Students will also be instructed to pay attention and show the red sign when they hear or see examples of the Bill of Rights in trouble.

3. Scripted Scenario: Juvenile Delinquency and Comic Books

During the program, your NARA facilitator will ask you to choose three student volunteers to act out a scene. Included in this teacher guide (pages 11–13) is one page for each student role in the scene.

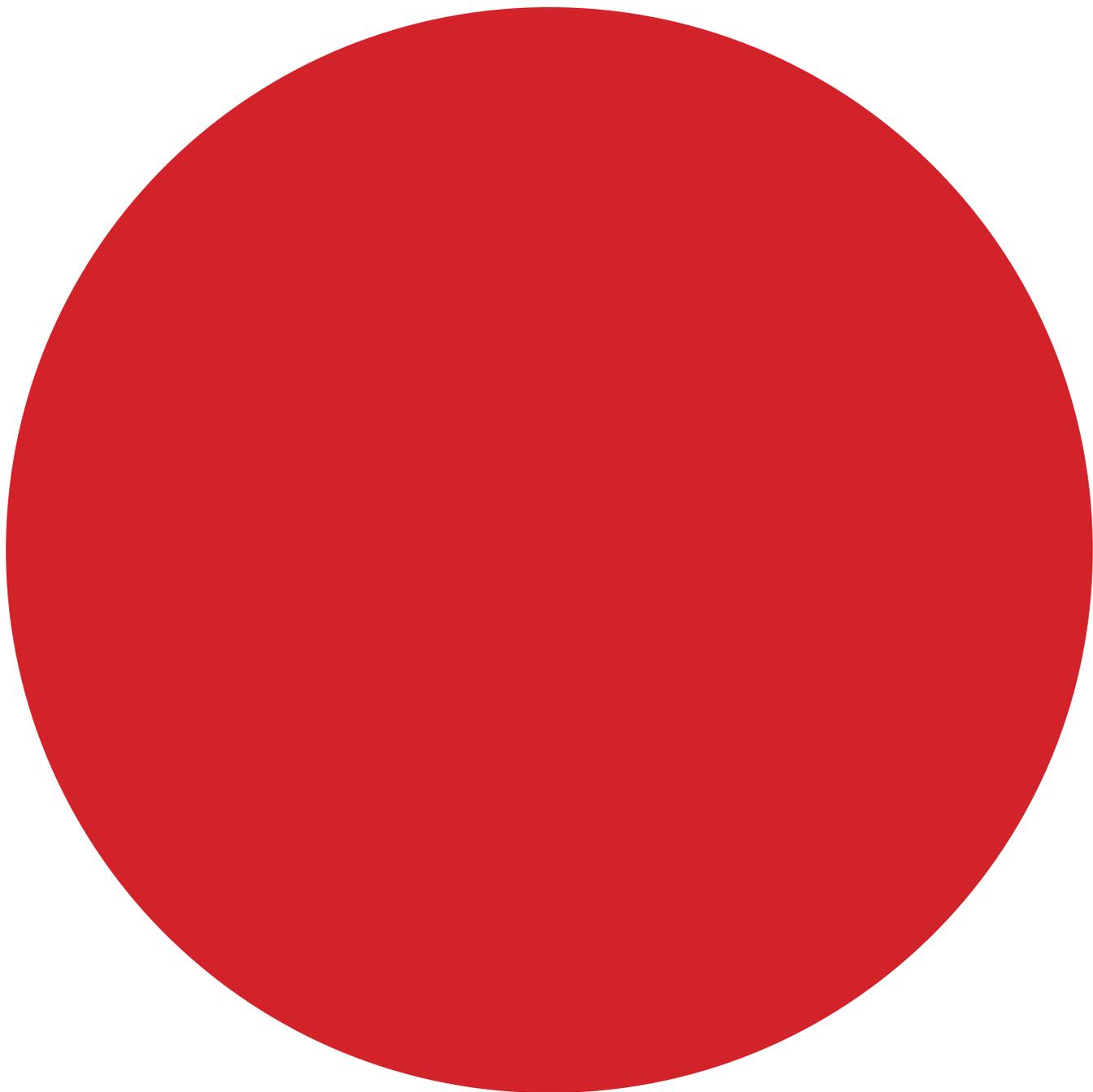
4. Videoconference Program Document: Search Warrant from *Katz v. The United States*

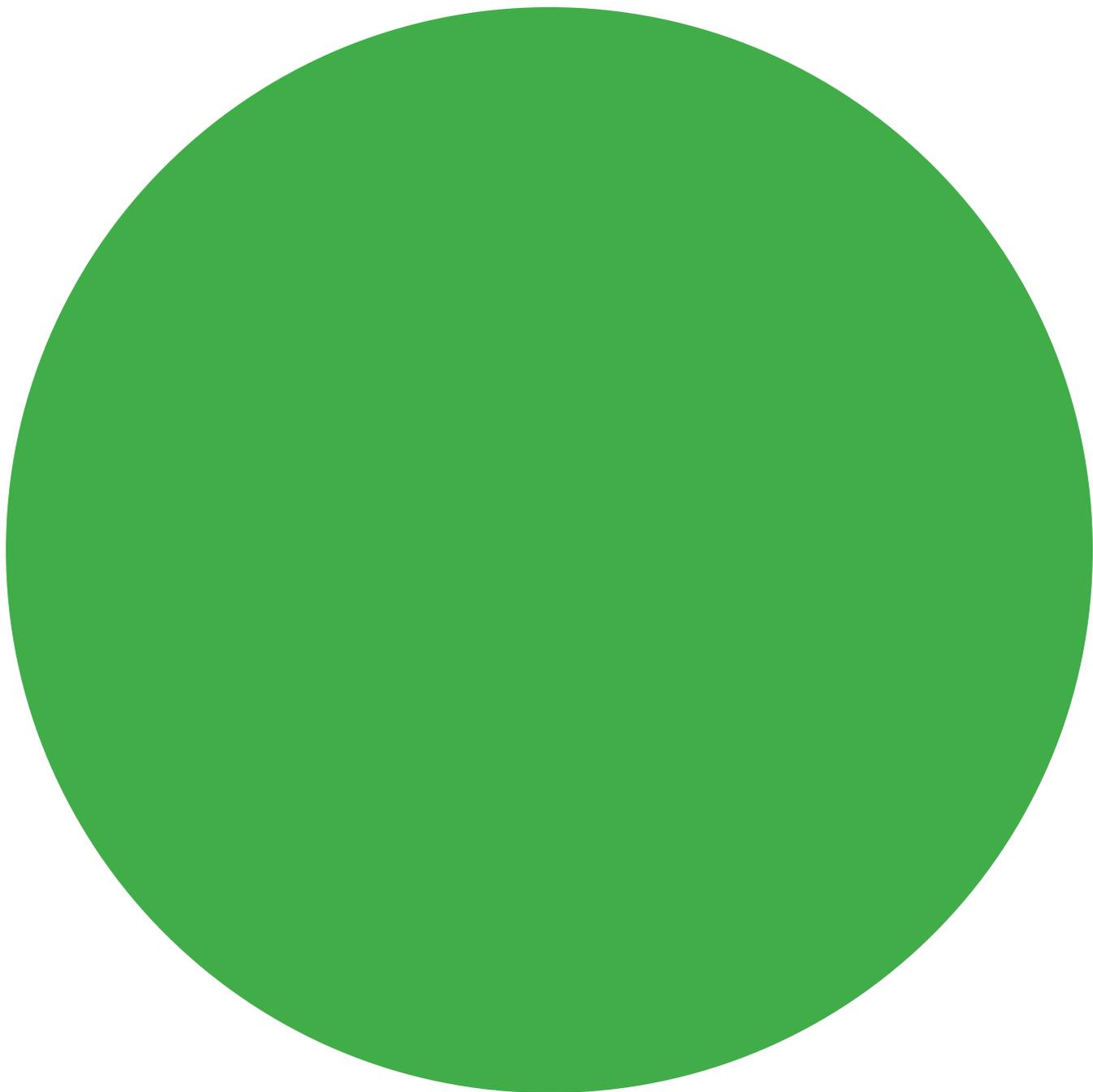
For your reference, this is the complete list of the topics addressed during The Bill of Rights in Real Life distance learning program. During the program, students will take a close look at the search warrant from *Katz v. United States*. It may be helpful to print the PDF of this document (page 14) so that it can be distributed to students to examine in pairs or small groups during the program.

Search Warrant, United States of America v. The premises known as Room 123-8400 Sunset Blvd., Sunset Towers West, Los Angeles, California, Dec. 25, 1965; 35 O.T. 1967; Appellate Jurisdiction Case Files, 1792–2010; Records of the Supreme Court of the United States, 1772–2007, Record Group 267; National Archives Building, Washington, DC.

| AMENDMENT | RIGHT | EXAMPLE | DOCUMENT(S) |
|-----------|---|---|---|
| 1 | Peaceably Assemble | Youth march for integrated schools rally, Washington, DC (1958) | Youth March |
| 1 | Freedom of the Press/Freedom of Speech | Senate Investigation on Comic Books and Juvenile Delinquency (1954) | 4125757 6120051 595273 6120050 |
| 4 | Protection from unreasonable search and seizure/privacy | <i>Katz v. United States</i> (1965) | 26303758 (document included in this guide) |
| 5, 6, 8 | Due process of law, speedy and public trial, cruel and unusual punishment | Japanese Internment (1942-1945) | 536017 539600 537153 |







Scripted Scenario: Juvenile Delinquency and Comic Books

Eugenia Y. Genovar

CHARACTER MOTIVATION: *You are a concerned citizen worried about the influence of comic books on young people. You care a lot about this issue and want to convince the government to take action!*

Narrator: First, let's hear from Ms. Genovar, a concerned parent.

Eugenia Y. Genovar: My Dear Senator Hendrickson, I see that you have been appointed to head a committee for the investigation of juvenile delinquency. I have found that even though a mother is alert and does not allow her children to waste their money or time on these cheap and filthy comics, one's children can read them at the bookstands or read them when they visit their friends. We have laws that prohibit selling poison, why can't we prohibit these people from selling poison to our children's minds?

Narrator: Banning people from selling comic books, hmm, audience-can the government do this? Which amendment would be in trouble? Senator Hendrickson, tell us more about this investigation!

Senator Robert C. Hendrickson: The United States Senate Subcommittee investigating Juvenile Delinquency, is going into the problem of horror and crime comic books. I wish to state freedom of the press is not at issue in this investigation. We are not a subcommittee of blue-nosed censors. Our work during this investigation will be to determine the possible delinquency producing effect upon children of certain types of crime and horror comic books.

Narrator: Finally let's hear from Robert Merdian, a huge fan of comic books.

Robert Merdian: Dear Sir, I have been reading comic books for seven to nine years. Every kind of book that was written, I have never robbed a bank or thinks like that. My personal opinion is I think reading crime books make a young or old person not want to commit a crime, because in every story the old saying "Crime don't pay" is carried out. The person or persons committing the crime are always caught. The fear of this stops crime and stops juvenile delinquency.

THIS SCRIPT WAS ADAPTED FROM REAL DOCUMENTS!

Eugenia Y. Genovar: <https://catalog.archives.gov/id/6120051>

Senator Robert C. Hendrickson: <https://catalog.archives.gov/id/595273>

Robert Merdian: <https://catalog.archives.gov/id/6120050>



Scripted Scenario: Juvenile Delinquency and Comic Books

Senator Robert C. Hendrickson

CHARACTER MOTIVATION: *You are the Chairman of the Senate Subcommittee investigating Juvenile Delinquency. You want to make sure people understand the goals of your investigation and reassure the public that freedom of the press is not in trouble.*

Narrator: First, let's hear from Ms. Genovar, a concerned parent.

Eugenia Y. Genovar: My Dear Senator Hendrickson, I see that you have been appointed to head a committee for the investigation of juvenile delinquency. I have found that even though a mother is alert and does not allow her children to waste their money or time on these cheap and filthy comics, one's children can read them at the bookstands or read them when they visit their friends. We have laws that prohibit selling poison, why can't we prohibit these people from selling poison to our children's minds?

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Scripted Scenario: Juvenile Delinquency and Comic Books

Robert Merdian

CHARACTER MOTIVATION: *You are 14 years old and from Pennsylvania. You love comic books and want to make sure that you get to keep reading them by sharing your opinion with the government!*

Narrator: First, let's hear from Ms. Genovar, a concerned parent.

Eugenia Y. Genovar: My Dear Senator Hendrickson, I see that you have been appointed to head a committee for the investigation of juvenile delinquency. I have found that even though a mother is alert and does not allow her children to waste their money or time on these cheap and filthy comics, one's children can read them at the bookstands or read them when they visit their friends. We have laws that prohibit selling poison, why can't we prohibit these people from selling poison to our children's minds?

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United States District Court

FOR THE

SOUTHERN DISTRICT OF CALIFORNIA

Commissioner's Docket No. 42

Case No. 129

UNITED STATES OF AMERICA

v.
The premises known as Room
123- 8400 Sunset Blvd.,
Sunset Towers West
Los Angeles, California

SEARCH WARRANT

To any Deputy U. S. Marshal or any Special Agent of the Federal
Bureau of Investigation
Affidavit having been made before me by John Robert Barron

that he {has reason to believe} that {on the premises known as}

The premises known as
Room 123 - 8400 Sunset
Blvd, Sunset Towers West
Los Angeles, California

in the Southern District of California

there is now being concealed certain property, namely bookmaking records, wagering
paraphernalia, including but not limited to, bet slips, betting markers,
run down sheets, schedule sheets indicating the lines, adding machines,
money, telephones, telephone address listings

which are designed and intended for use as the means of committing
criminal offenses in violation of Title 18, United States Code Section
1084, and violations of 441, 4412 and Section 7203 of the Internal
Revenue Code.

CERTIFIED AS A TRUE AND CORRECT COPY
OF THE ORIGINAL DOCUMENT WHICH IS NOW

ON FILE IN THIS OFFICE

and as I am satisfied that there is probable cause to believe that the property so described is being
concealed on the {person} above described and that the foregoing grounds for applica-
{premises} tion of the search warrant exist.

You are hereby commanded to search forthwith the {person} named for the property specified, serv-
{place} ing this warrant and making the search {in the daytime} and if the property be found
{at any time in the day or night} there to seize it, leaving a copy of this warrant and a receipt for the property taken, and prepare a writ-
ten inventory of the property seized and return this warrant and bring the property before me within
ten days of this date, as required by law.

Dated this 25th day of February, 19 65

RUSSELL R. HERMANN S. Commissioner.

1. The Federal Rules of Criminal Procedure provide: "The warrant shall direct that it be served in the daytime, but if the affidavits are positive that the property is on the person or in the place to be searched, the warrant may direct that it be served at any time." (Rule 41C)

JKV:mao

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17



Post-Program Activity

CREATE YOUR OWN BILL OF RIGHTS SCENE!

MATERIALS:

- Document Analysis Worksheet
- Green and Red Signs (printed or student made)
- Annotated Bill of Rights from the Rights and Limitations Activity

INSTRUCTIONS:

During our videoconference program with the National Archives, we saw historical examples highlighting parts of the First, Fourth, Fifth, Sixth and Eighth Amendments. The National Archives presented these different historical scenarios, but now it is your turn. In groups, you will search for a document to represent one of the first ten amendments, complete the document analysis worksheet, and then develop a presentation for the class.

During the presentations, we will continue the activity from our videoconference, with your classmates showing the green and red signs, and trying to identify the amendment at work or in trouble.

It is okay to choose an amendment that we have already discussed, but please find a different historical example.

Start your search on the National Archives' DocsTeach page where the National Archives has created special collections related to the 225th anniversary of the Bill of Rights:

<https://www.docsteach.org/topics/amendments>

You can also search on the main DocsTeach documents page:

<https://www.docsteach.org/documents/documents>

Teacher Note: You may want to assign a time limit to the presentations, such as 3–5 minutes.



Analyze a Written Document

Meet the document.

Type (check all that apply):

- | | | | | |
|---|------------------------------------|--|--|--|
| <input type="checkbox"/> Letter | <input type="checkbox"/> Speech | <input type="checkbox"/> Patent | <input type="checkbox"/> Telegram | <input type="checkbox"/> Court document |
| <input type="checkbox"/> Chart | <input type="checkbox"/> Newspaper | <input type="checkbox"/> Advertisement | <input type="checkbox"/> Press Release | <input type="checkbox"/> Memorandum |
| <input type="checkbox"/> Report | <input type="checkbox"/> Email | <input type="checkbox"/> Identification document | | <input type="checkbox"/> Presidential document |
| <input type="checkbox"/> Congressional document | | <input type="checkbox"/> Other | | |

Describe it as if you were explaining to someone who can't see it.

Think about: Is it handwritten or typed? Is it all by the same person? Are there stamps or other marks? What else do you see on it?

Observe its parts.

Who wrote it?

Who read/received it?

When is it from?

Where is it from?

Try to make sense of it.

What is it talking about?

Write one sentence summarizing this document.

Why did the author write it?

Quote evidence from the document that tells you this.

What was happening at the time in history this document was created?

Use it as historical evidence.

What did you find out from this document that you might not learn anywhere else?

What other documents or historical evidence are you going to use to help you understand this event or topic?



Additional Online Resources from the National Archives

AMENDING AMERICA RESOURCES

The National Archives' *Amending America* exhibit highlights the remarkably American story of how we have amended, or attempted to amend, the Constitution in order to form a nation that more closely mirrors our ideals.

Online resources associated with this exhibit include:

- ❑ *National Conversations on Rights and Justice*: A series of presentations held across the country that explore a range of contemporary issues, addressing the tension between individual rights and collective responsibilities, a process that began with the Bill of Rights
- ❑ Online exhibits featuring documents from the holdings of the National Archives
- ❑ “Congress Creates the Bill of Rights,” “Amending America,” and “Putting the Bill of Rights to the Test” eBooks
- ❑ *How Do We Amend?* by the National Archives and HISTORY: An animated video showing the story of how and why we amend through the proposal and ratification process

RECORDS OF RIGHTS

The online version of the permanent exhibit in Washington, DC. Explore records of the National Archives documenting the ongoing struggle of Americans to define, attain, and protect their rights.

DOCSTEACH

Access thousands of primary sources—letters, photographs, speeches, posters, maps, videos, and other document types—spanning the course of American history. We are always adding more!

Borrow from an ever-expanding collection of document-based activities created by the National Archives, and teachers around the world. Copy and modify activities for your students.

Create your own activities using the online tools. It's as simple as: (1) selecting a tool, (2) choosing your primary sources, and (3) customizing instructions.

THE 225TH ANNIVERSARY OF THE BILL OF RIGHTS ON DOCSTEACH

A special DocsTeach collection of primary sources and teaching activities on how we've attempted to form a more perfect union.

THE CENTER FOR LEGISLATIVE ARCHIVES

The Center for Legislative Archives preserves and makes available the historical records of the U.S. House of Representatives and the U.S. Senate. Congressional records used in this distance learning program include the documents related to the 1954 Senate Investigation into juvenile delinquency.

The Center also offers wonderful resources for educators on representative democracy, how Congress works, and the important role Congress has played throughout American history, including lesson plans on the creation of the Bill of Rights and the “Congress Creates the Bill of Rights” mobile app and eBook.



Answer Key: Pre-Program Activity-Rights and Limitations

THE BILL OF RIGHTS IS THE FIRST TEN AMENDMENTS TO THE CONSTITUTION. It spells out Americans' rights in relation to their government. It guarantees civil rights and liberties to the individual—like freedom of speech, press, and religion. The Bill of Rights also protects individual rights by placing limitations on the government. James Madison introduced the first draft of the Bill of Rights to the Congress in June of 1789. He encouraged Congress to pass the Bill of Rights as a way to increase support for the new United States Constitution. The first ten amendments were officially ratified by three fourths of the States on December 15, 1791. During the distance learning program with the National Archives, you will see examples of the Bill of Rights in real life.

But first, this activity will help you become familiar with the rights and limitations in the Bill of Rights.

INSTRUCTIONS:

1. On your own, read through the Bill of Rights, highlighting or circling every use of the word "right" in one color.
2. Then, read through the Bill of Rights again, using a different color to highlight or circle the negative words (no, not, nor).
3. In pairs, use your highlighted copies to answer the following questions on the last page of this activity.

The Bill of Rights

*Note: The following text is a transcription of the first ten amendments to the Constitution in their **original form and spelling**.*

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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.

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 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.

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 defence.

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 re-examined 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.

DID YOU KNOW?

The Bill of Rights originally only applied to the federal government. The ratification of the 14th Amendment led to the Supreme Court gradually applying certain parts of the Bill of Rights to the States through a process called selective incorporation.





Questions

1. With a partner, discuss the different places where you highlighted the word “right.” Who do the rights belong to in the Bill of Rights? (Think broadly, but you can also list specific examples from the document.)

The people

Additional answers: Homeowners (Third Amendment), the accused (Sixth Amendment), the Tenth Amendment talks about powers reserved to the States

Students may also point out that while the rights belong to the people, it has been a long struggle to make sure the Bill of Rights protects the rights of *all* people.

2. Next, review the different places where you highlighted a negative word (no, not, nor). These statements indicate limitations. Who or what does the Bill of Rights place limitations on? (Think broadly, but you can also list specific examples from the document.)

The Federal Government

Additional answers: Congress (First Amendment), the military (Third Amendment), federal law enforcement (Fourth Amendment) Federal Courts (Fifth–Eighth Amendments)

3. Limitations in the first ten amendments also protect rights. Choose one limitation and explain the right it protects. For example, the Fifth Amendment states “nor shall private property be taken for public use, without just compensation.” This can also be read as people have a right to be fairly compensated for private property taken by the government.

Student examples could include:

The First Amendment protects the right to free exercise of religion, speech, and the press

The Third Amendment gives homeowners the right to refuse to quarter soldiers during peace time

The Fifth Amendment also protects the right of people to only be tried once for an offence, to not be a witness against himself, the right to due process of law when facing the denial of life, liberty, or property

The Eighth Amendment secures the right of an individual to reasonable bail, fines, and punishments

4. Think about how this document applies to you, after all, you are one of the “people” protected by the Bill of Rights! What aspects of your life does the Bill of Rights influence and protect? You can think of immediate examples, or hypothetical scenarios.

For this question, students should think about how the different amendments could protect them in different ways. Answers may include:

The Bill of Rights protects my right to practice my religion, to protest and petition my government. Freedom of speech protects the books I read or the art I view. The Bill of Rights protects me in my interactions with law enforcement. If I was ever accused of a crime, the Bill of Rights would help ensure that I receive a fair trial.

Additional Discussion Points: Ask if your students think the rights in the Bill of Rights are absolute (meaning they have no restrictions), or if they think there are restrictions on our rights. You can share examples like the limitations on speech inciting imminent lawless action, or the requirement of a permit for peaceful protests in some spaces.

