

The Bill of Rights

Overview

Students will gain an understanding of the rights guaranteed to citizens in the Bill of Rights, the modern controversies that can arise from such rights, as well as the importance and relevance of the Bill of Rights to every individual by participating in role plays.

Grades

5+

Materials

- Rights brainstorm handout, attached
- The Bill of Rights worksheet, attached
- Copy of the Bill of Rights, attached
- Bill of Rights Scenario Examples, attached

Optional Materials

- Resource person, such as a lawyer or police officer
 - A resource person with legal knowledge can not only provides valued assistance and expertise in explaining the material to students and answering their questions, but this also gives your students a chance to interact with and learn from a law official. If choosing to invite a resource person, it is recommended that teachers contact the person a few weeks in advance of this lesson to explain the activity and to ask for assistance in guiding the students regarding various legality issues based on the Bill of Rights. (It is important this person does not come to give a “speech,” but rather is prepared to engage with the students as they work on and present the role plays). After making an initial contact, follow up with an e-mail including the date, time, location, parking arrangements, school procedures for guests, and a complete set of materials for the activity.

Duration

45 minutes + (time varies based on number of roll plays presented and the amount of discussion after each)

Procedure

Rights?

1. As a warm-up, have students brainstorm the word “rights” in small groups using the attached brainstorm handout. (This can also be done as an entire class, in which case teachers should note student thoughts on the board.) Encourage students to explore all aspects of the word that come to mind. Once thoughts have been expended, instruct groups to create a group definition of the word rights that they will then share with the remainder of class. (An example of a definition may include: that which is due to anyone by just claim, moral principles, or law. Further discuss:
 - What rights are granted to you as a citizen of the United States?
 - Do you feel all people have equal access to these given rights? Explain.

- Describe a time when you felt that one of your rights was violated. Describe your feelings and response to the situation. Explain ways you could have handled it differently.
- What current events or events in recent history can you think of that relate to rights, or the denial thereof?

Introduction to the Bill of Rights

2. Explain to students that in this lesson, they will explore the first ten **amendments** to the **United States Constitution**, called the **Bill of Rights**. Remind students that the United States Constitution was not immediately approved, due to a group of people called **Anti-Federalists**, who believed that the central government had too much power in the new constitution and it lacked a bill of rights protecting the liberty of individual citizens. While 11 states had approved the new constitution by July of 1788, two states still rejected it: **North Carolina** and Rhode Island. Briefly discuss:
 - Considering the perspectives during colonial times, why do you think Anti-Federalists felt the way they did?
 - How did the addition of the Bill of Rights convince North Carolina to become the 12th state to ratify the constitution in 1789?

Inform the class that they will research these rights, and then participate in an experiential exercise in which they learn how this document applies to their own individual lives today, even though it was created over 200 years ago.

3. Either with a partner, in small groups, or as a class, students should read a copy of the Bill of Rights (attached), summarizing each amendment and what rights it grants to citizens on the attached worksheet. Make sure students are aware that accuracy in their answers is crucial to be able to participate in the next activity.

Role Playing the Bill of Rights

4. Explain that students will be participating in an experiential exercise in which they will learn how the Bill of Rights applies to their individual lives. The teacher should:
 - Review your expectations for partner work, and group students into pairs or small groups. Give them a modern day scenario in which a right granted by the Bill of Rights has been violated. You may use the scenarios provided in the attached “Bill of Rights Scenario Examples”, or you may create your own.
 - Instruct students to collaborate with their partner or group to develop the scenario into a theatrical scene which they will present to the class. Make sure that students understand the goal is to be realistic and focused in their performance. It is important that they not leave out any details provided in the scenario.
 - If a Resource Person is joining your class for assistance, introduce that person to the class and explain that he/she will be available for legal advice as students create and present their scenes.
 - Teachers should circulate throughout the time allocated for scene preparation to ensure students are on the right track. Give time warnings so that students can work accordingly.

5. Once all partners/groups are ready to present, the teacher should:
 - Review expectations for being a respectful audience member.
 - Explain that each scene will be presented, and the classroom’s job as the audience is to pay close attention and figure out which right they believe has been violated. After each scene is presented, stop and discuss the scene, allowing students to state their ideas, noting the number of the amendment that they believe was violated and its description.
 - If a resource person is visiting, allow him/her to discuss the reality of the scene and legality issues with the class. Students should be permitted to ask related questions also.
 - Use the various scenes as conversation starters that link to current events or past Supreme Court cases.
 - Once students have discovered the right answer, you can also ask them to think about effective ways to advocate for the violated right in the scene. Instruct the original actors to replay the scene. As they do, class members can yell “FREEZE”, at which point the actors stop exactly where they are. The audience member can then take the place of the victim in the scene and play out options for dealing with the situation and advocating for their rights. While the teacher should allow for experimentation with various tactics, it is important to discuss the replay choices students make and whether they are sound, civically minded choices, or choices that may lead to further consequences. If a resource person is available he/she will be good to weigh in on this as well.

6. After the presentation and discussion of scenes, students should reflect (these questions can be discussed as a class or completed as a written response):
 - Why is the Bill of Rights important to you as an individual and as a society?
 - What consequences might we face if we are unaware of the Bill of Rights?
 - What responsibilities do we have (individually and as a community) to ensure our rights are not violated?
 - Why was the Bill of Rights added to the Constitution? Why did several states refuse to ratify the Constitution without its addition? Do you agree with their refusal? Explain.
 - What current events and/or court cases, locally and nationally, can you think of which have involved a person’s rights or the violation thereof.

Culminating Activities/Assessments

- Have students rank the top five amendments they feel are most important. Ask students to write reasons for each decision and to support their choice by citing current relevant examples. Have students present their ideas to the class, keeping a tally on how many times each amendment is chosen.
- Instruct students to write their own Bill of Rights in small groups. Explain that they are to imagine they have just formed a new democratic country and that they must create at least 10 rights for all citizens of their country.
 - Circulate through groups keeping everyone on task. Groups who finish early can be instructed to provide further creative details on their country (i.e. country name, flag, etc.)
 - Once all groups have completed their Bill of Rights, have them present to class. The teacher should:
 - Remind students of expectations for respectful class presentations and have each group present their country’s Bill of Rights.

- After each group presents the teacher should solicit positive feedback for the group, then facilitate a group discussion on whether any of the group's rights may cause problems, or if any of the rights should be amended.

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 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 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.

Name: _____

The Bill of Rights

Amendment	Summary of rights protected by this amendment
First Amendment	
Second Amendment	
Third Amendment	
Fourth Amendment	
Fifth Amendment	
Sixth Amendment	
Seventh Amendment	
Eighth Amendment	
Ninth Amendment	
Tenth Amendment	

After completing this worksheet and learning about the first 10 Amendments, which do you think is most important and why?

Bill of Rights Scenario Examples

These scenarios may be modified and changed. Teachers are encouraged to create alternate scenes themselves or allow students to do so. Prior to the activity, have these scenarios printed and cut into slips that can be handed to students.



1st Amendment: Freedom of the Press

Role A (President): You are the President of the United States. In an interview with a reporter, the reporter has found out something illegal that you have done in your personal life. The reporter plans to print it in the paper. When you learn of this, you set up a private meeting with the report and demand that he/she NOT print the information. You tell him/her that as President, you WILL find a way to get him/her fired if anything negative is printed about you, whether it is true or not.

Role B (Reporter): You are a reporter that has been called to the White House for a private meeting with the President. You have a feeling that this meeting has something to do with some information you are getting ready to print in the next edition of your paper. This information involves the President doing something illegal. When you meet with the President, he/she threatens your job if you print the truth. Afraid of being fired, you finally agree that you'll keep the information quiet.



1st Amendment: Freedom of Religion

Role A (Student): You are a student at a new public school. You are Jewish. As the Principal meets with you the first day to show you around, he/she asks you if you are religious. When you explain that you are Jewish, he/she makes a comment that you should consider the faith of a Baptist, a better religion. According to him/her, you won't fit in at your new school otherwise.

Role B (Principal): You are the Principal of a school. Today you are meeting with a new student. While you are showing him/her around and chatting, you ask the student if he/she is religious. You feel it is your responsibility to "save all the souls" of your students, after all. You discover the student is Jewish and you believe this religion is wrong. You tell the student that he/she should be Baptist like you if he/she really wants to fit in at this school and "go to heaven."



2nd Amendment: Right to Bear Arms

Role A (Hunter): You are a hunter and are carrying a rifle in a designated hunting area. A park ranger approaches you and hassles you about your weapon. You explain that you have a gun permit, your identification, as well as a hunting permit. You show all of this documentation to him/her. He/she threatens to call the police and have you arrested if you do not hand over the gun. Out of fear of being thrown in jail, you reluctantly give the ranger your gun, unsure of what you've done wrong.

Role B (Park Ranger): You are a park ranger monitoring a designated hunting area when you come across yet another evil hunter. You don't personally believe in killing animals, so you want to do anything you can to get him/her to stop. You ask to see his/her permits and ID. You are disappointed when he/she shows you all the proper documentation. Even though he/she is in a designated area for hunting, you threaten to have him removed and arrested if he/she does not give you his gun. You believe this is the only way you'll be able to save all the innocent deer in the area.



3rd Amendment: Quartering of Soldiers

Role A (Soldier): You are traveling home to Fort Bragg having just left Iraq. When your flight is delayed overnight in the Atlanta airport, you don't feel like spending money on a hotel. You take a cab to the closest upper-class neighborhood and knock on the door. When the person answers, you explain that you are a soldier and since you have been fighting for this country, you expect a nice free bed to sleep in and a home cooked meal. When the person refuses, you get heated and demand to be let in for a night's rest. You tell the person that as a soldier of the United States Army, it is law that you are given a place to sleep for free!

Role B (Citizen): You are at your Atlanta home when a soldier knocks on your door. He/she explains that he/she was on the way home to North Carolina, having served several years in Iraq, when his/her flight was delayed. The soldier explains that since he/she has been fighting to keep you safe and secure, you owe him/her a free place to sleep for the night and a home cooked meal. When you refuse, he/she gets angry and says you are required to do so by law. This makes you nervous – you don't want to end up in jail or Guantanamo Bay for breaking military law, so you let him/her in.



4th Amendment: Searches and Seizures

Role A (Citizen): You are at home when there is a knock on your door. A police officer is at the door and says he/she wants to search your home because it is suspected that your brother stole some things. You do not want to let the officer in, and you say tell the officer that you are sure your brother hasn't done anything wrong. The officer tells you that he/she can come in regardless of what you say, since he/she is an officer of the law. He/she says it will be better for your brother this way. While you are thinking about it, the police officer pushes past you and begins to search your home. You don't know what to do, so you sit on the sofa frustrated.

Role B (Policeman): You are a police officer and show up to a house where you think a thief has hidden some stolen goods. You are just taking a guess that this might be where the goods are, since this is the home of the alleged thief's sibling. You don't feel you have time to get a warrant. This criminal has eluded you several times, and this time you are going to catch him, regardless of what it takes. You knock on the door and when a person answers, you demand to be let in. You intimidate the homeowner to the point that when his/her guard is down, you push past him/her into the home to search it. You are the LAW, after all – you can do what you want!



4th Amendment: Searches and Seizures

Role A (Judge): You are a judge, and your best friend since elementary school who is a detective appears before you asking for a warrant to search his/her ex-fiancé's home. You know that the ex-fiancé hasn't done anything wrong legally, but the ex-fiancé broke off the engagement with your best friend, a terrible thing to do. You know your friend really wants a reason to get in there and snoop around, so you approve the warrant.

Role B (Detective): You are a detective and your fiancé recently called off your wedding. Having heard that he/she is seeing someone else, you really want to go into his/her home and snoop around a little. But, you don't want to go into his/her house without a warrant, because that would be breaking and entering and you could get into a lot of trouble. You have a friend who is a judge, so you go to him/her and ask for a warrant to search for "stolen goods." Since you and the judge have been friends since elementary school, you get the warrant.



5th Amendment: Rights of Those Accused

Role A (Police Officer): You are interrogating a detainee accused of kidnapping. You feel the person did the crime. You can see the guilt in his/her eyes and you don't want to waste any time with a long, drawn out investigation. You hand the accused a typed confession and tell him/her if they want to make things easy they should sign the confession. You could care less that the person doesn't seem to be able to read...what they don't know can only help you get a conviction.

Role B (Accused Citizen): You have been arrested for kidnapping, but you don't understand what is going on. The police officer who arrested you didn't say anything during the arrest. Now, you are being interrogated by yourself and the officer is telling you if you want to get out of trouble that you have to sign a piece of paper. You are scared and worried. You aren't a great reader and you can't understand what the piece of paper says. You don't want to make the officer mad, so out of fear and confusion, you sign the paper thinking that compliance is the best way to show that you are innocent. All you want to do is be able to go home.



5th Amendment: Double Jeopardy

Role A (accused): You are home watching TV when there is a knock on your door. There is a police officer who asks if you are <<insert your name>>. When you say that you are, he/she says that you are under arrest for the murder of Jack Jeffries. You tell him/her that he/she must be mistaken, because you were tried and acquitted of that exact crime last year. You try to explain that a jury already found you innocent of the murder of Jack Jeffries. He/she tells you that the DA believes the jury made a bad decision that you need to be put on trial again, with a more competent jury that can see you for who you really are...a murderer.

Role B (police officer): You have been given an arrest warrant for <<insert your partner's name>>, who is accused of the murder of Jack Jeffries. You remember that he/she stood trial last year for this same murder - it was all over the papers and the accused was acquitted by a jury. However, the DA has told you that he/she thinks the decision the jury made was ridiculous, so the DA has decided to try the accused again with "smarter" jury members. You go to the person's house, knock on the door, and ask "Are you <<insert name>>?" When the person says yes, you arrest him/her for the murder of Jack Jeffries. When the person protests you explain that the DA is going to make sure a guilty verdict is handed down this time. You read him/her their Miranda Rights and head to the police station.



6th Amendment: Right to a speedy trial

Role A (Inmate): You are waiting in jail for a trial. You do not know why you are on trial, and you are very angry because you have been waiting for 7 months in jail! You beg the guard to tell you why you are on trial, and also beg him/her to speed up the process. Seven months is too long to sit in a cell, especially when you are clueless as to why!

Role B (Guard): You are a jail guard. One of your inmates is really getting on your nerves. He/she keeps begging you to tell him/her why they are in jail. You figure, tough luck...the crook should know what they did already. The inmate also keeps complaining about having been in jail seven months waiting on a trial. You tell him/her it serves them right!



7th Amendment: Civil Suits

Role A (Home owner): You are attending a court hearing based on a suit you are filing against your neighbor due to trouble you are having over his/her dog. Recently, you left your garage door open and came home to find many of your belongings, which were stored inside, chewed up and ruined by the mutt. The damage is around \$3,000. You explain all of this to the judge and request a civil trial by jury. You feel that a jury will be sympathetic to your frustration with your neighbor, will understand it was your neighbor's dog that ruined your property, and will thus rule that your neighbor must pay for the damages.

Role B (Judge): You are a judge presiding over a civil suit in which a person is suing his/her neighbor for \$3,000. The homeowner has explained to you that his/her garage was vandalized...by a dog. In listening to the homeowner, you realize he/she does not want to allow you to rule on this case. He/she is requesting a trial by jury. You feel there is nothing for a jury to decide and that a jury will only prolong what could be a quick trial. You tell the homeowner that you refuse to allow this civil case to go in front of a jury and that you will be presiding over the case yourself.



8th Amendment: Cruel and Unusual Punishment

Role A (Convicted Felon): You are attending your sentencing hearing in court. When the judge asks you to rise and recounts your crimes, he/she sentences you to death by starvation. You yell that this is unfair, but the judge does not relent.

Role B (Judge): You are a judge and you are responsible for convicting a criminal that you think should really suffer for what he/she has done. Thus, you sentence him/her to death by starvation.



9th Amendment: Other Rights (i.e. right to privacy)

Role A (construction job applicant): You are applying for a construction job. At the interview, the manager explains that he/she is interested in hiring you, but worries you can handle the heavy lifting and strenuous work that goes along with the job. He/she explains they only want to hire the healthiest of people. You say that you are healthy and that you can certainly handle any physical requirements of the job. Later, after the interview, you learn that the construction company somehow gained access to your medical records and refuse to hire you due to a back injury you had four years ago.

Role B (construction manager): You are interviewing a person for a job in your construction company. The interview goes well, but the last person you hired was a wimp and ended up throwing out his back on the job and costing the company time and money. You explain to him/her that anyone hired must be in top notch health since the job is very physically strenuous. He/she assures you that they can handle whatever you throw at them. However, you aren't taking any chances. When the applicant leaves, you call your friend at the local hospital and ask him to check out the applicant's medical records. He tells you that the applicant threw out his/her back four years ago. You decide not to hire him/her because of this.



Tenth Amendment: Reserved Powers

Role A (President): As President of the United States of America, you have decided to use your power to eradicate one of your biggest pet peeves...second hand smoke. You meet with your Vice President and explain to him/her that cigarette smoke drives you crazy and that you think it is a bad habit for any American to have. You tell him/her that the national government is going to make all bars and restaurants across America smoke free effective immediately. The Vice President, as always, agrees with everything you say and says that as the President, you can tell the states to do anything you choose.

Role B (Vice President): The President calls you in for a meeting regarding his/her annoyance with cigarette smoking in America. He/she tells you that the national government should immediately mandate that all bars and restaurants immediately become smoke free. You want to stay on the Presidents good side, so as always you tell him/her that you completely agree.

