

The Bill of Rights

ANSWER KEY

What rights and freedoms does the Bill of Rights protect and why are they important?

PREVIEW

Carefully read the Parents' Constitution. Then answer the questions that follow *on another sheet of paper*. Be prepared to share your answers.

Parents' Constitution

We, the Parents of the United States, in order to form more perfect Families, raise obedient Children, ensure domestic Tranquility, provide for our children's Defense, promote the general Welfare, and secure the Blessings of Liberty to Ourselves and our Children, do ordain and establish this Parents' Constitution for the United States of America.

- I. Parents shall have the power to command complete respect from their children.
- II. Parents shall have the power to assign chores to their children.
- III. Parents shall have the power to promote family togetherness even if this power interferes with their children's social lives.
- IV. Parents shall have the power to ask their children questions and to expect honest answers.
- V. Parents shall have the power to make all decisions about family spending, including the power to restrict children's spending on unproductive or harmful items.
- VI. Parents shall have the power to decide how much time their children's friends can spend with their children.

1. Do you believe that parents should have all of the powers described in the Parents' Constitution? Why or why not? *Answers will vary.*
2. List four rights that you would add as amendments to the Parents' Constitution to make it fairer for children and protect them from the power of parents. *Answers will vary.*
3. What parallels can you draw between how you feel about the Parents' Constitution and concerns some people might have felt about the U.S. Constitution when it was first ratified in 1789? *Answers will vary.*

READING NOTES

Social Studies Vocabulary

As you complete the Reading Notes, use these terms in your answers.

Bill of Rights	double jeopardy	due process
warrant	self-incrimination	defendant

Section 1

1. What does the Bill of Rights contain?

The Bill of Rights contains the first ten amendments to the U.S. Constitution.

2. Who took the lead in making sure the Bill of Rights was eventually included in the Constitution?

James Madison took the lead in making sure the Bill of Rights was eventually included in the Constitution.

Section 2

1. List the five basic freedoms protected by the First Amendment. Put a star next to each of those freedoms that you exercise in your daily life. Then select one of your starred freedoms and briefly explain why it is important to you.

The five basic freedoms protected by the First Amendment are freedom of religion, speech, the press, and assembly, and the right to petition the government. Explanations of why a selected freedom is important to students will vary.

2. Create a simple drawing with labels that represents Thomas Jefferson's view of the relationship between religion (church) and government (state).
Drawings should indicate that Jefferson supported a separation between religion (church) and government (state).

3. Not all of the founders agreed with Jefferson's view on the separation of church and state. Do you agree with Jefferson or with his opponents? Explain.
Opinions and explanations will vary.

4. Find a Web site or newspaper article that is an example of one of the roles the press plays in a democratic society—for example, government watchdog or keeping citizens informed. In the space below, briefly explain which role the article is an example of. Cite the Web site or article used as an example.
News articles and explanations of the role they represent will vary.

5. In the case of *Texas v. Johnson*, the Supreme Court held that freedom of speech means more than just words. Cite an example of symbolic speech. Do you agree that the First Amendment should protect this kind of symbolic speech? Why or why not?
Possible example of symbolic speech: burning an American flag

Opinions and explanations will vary.

Section 3

1. List the two basic rights protected by the Second and Third Amendments.

The Second Amendment protects the right of citizens to bear arms.

The Third Amendment prohibits the government from housing troops in citizens' homes.

2. Some people argue that the Second and Third Amendments are not particularly relevant in today's society. Do you agree? Why or why not?

Opinions will vary. Students should support their opinions with reasonable arguments.

3. What steps must the police follow to search someone or someone's property?

Create a simple flowchart to show your answer.

Police show a judge that they have a good reason for the search.

» *If the judge agrees, he or she issues a warrant saying who or what can be searched.*

» *Police present the warrant and conduct the search.*

Section 4

1. List and describe five important rights protected by the Fifth Amendment.

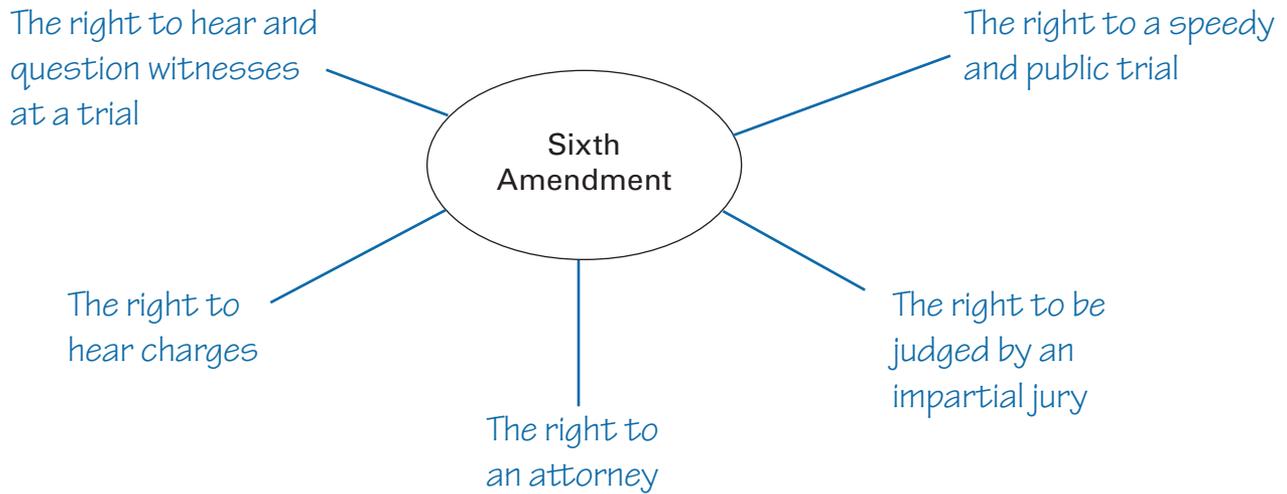
Then choose one of these rights and briefly explain why you think it is important.

The Fifth Amendment guarantees the right to a grand jury, protects citizens from double jeopardy, prohibits self-incrimination, guarantees due process of law, and prohibits the government from taking private property without fair compensation.

Explanations of why students think one of these rights is important will vary.

2. To the spoke diagram below, add and label at least four spokes for key rights protected by the Sixth Amendment, such as the right to a speedy trial. Draw a symbol for each right. Finally, place a star next to the right that you think is most important and briefly explain why.

Symbols and opinions will vary. Possible answers:



3. The Eighth Amendment protects an accused person's rights before and after a trial. Create a simple political cartoon, with speech bubbles or captions, that shows one of the rights protected by the Eighth Amendment and why it is important.

Political cartoons will vary.

Section 5

1. According to the Ninth Amendment, who retains rights not specifically listed in the Constitution?

According to the Ninth Amendment, rights not specially listed in the Constitution belong to the people or the states.

2. What is one example of a reserved power that affects your daily life?

Possible answer: One example of a reserved power that affects daily life is the power states have to set speed limits.

P R O C E S S I N G

Use this rubric to evaluate the Processing assignment.

Score	Description
3	The personal narrative includes the following elements: a title that identifies the narrative's topic, two examples of what daily life would be like without the related rights and freedoms, relevant dialogue, an argument about why the amendment is important, and a drawing representing the narrative. The narrative is well-written and free from grammar and spelling errors.
2	The personal narrative includes most of the following elements: a title that identifies the narrative's topic, two examples of what daily life would be like without the related rights and freedoms, relevant dialogue, an argument about why the amendment is important, and a drawing representing the narrative. The narrative is well-written but may have some grammar and spelling errors.
1	The personal narrative lacks several of the following elements: a title that identifies the narrative's topic, two examples of what daily life would be like without the related rights and freedoms, relevant dialogue, an argument about why the amendment is important, and a drawing representing the narrative. The narrative has grammar and spelling errors.

READING FURTHER

Preparing to Write: Analyzing Legal Language

Thomas Jefferson believed that church and state—religion and government—should be separate. Both institutions would be healthier that way, he said. In his view, a “wall of separation” was the only true way to preserve religious freedom.

Jefferson wrote the Statute for Religious Freedom, a law that the Virginia legislature passed in 1786. This law became a model for legislation on religious freedom. The sentence below is at the heart of the statute. It is a long, wordy sentence, like much legal language then—and now. To better understand a sentence like this, it helps to break it into smaller parts.

After each part of the sentence, write a simple explanation that your friends could understand. Use a dictionary to help you.

Be it enacted by the General Assembly [of Virginia], That no man shall be compelled to frequent [attend] or support any religious worship, place, or ministry whatsoever, The General Assembly prohibits the state from forcing anyone to participate in any religious activity.

nor shall be enforced, restrained, molested, or burthened [burdened] in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief; No one will be punished or penalized for his or her religious beliefs or opinions about religion.

but that all men shall be free to profess, and by argument to maintain, their opinions in matters of Religion, Everyone is entitled to hold and express their beliefs about religion.

and that the same shall in no wise [way] diminish, enlarge or affect their civil capacities [civil rights]. A person’s beliefs about religion will have no effect on his or her civil rights.

Writing a Statute

Thomas Jefferson wrote the Statute for Religious Freedom because he believed that religious freedom was one of the “natural rights of mankind.”

Think about a right that you believe in and would like to see incorporated into your school’s rules. Write a “statute” that would make this right part of the school rules. Your statute should describe the right clearly. It should indicate what behaviors the right would prohibit or allow. And it should tell why you believe that students should have this right.

Use this rubric to evaluate your statute. Make changes in your statute if you need to.

Score	Description
3	The statute clearly states a right. It describes appropriate behaviors. It gives good reasons to justify the right. There are no spelling or grammar errors.
2	The statute states a right. It describes some appropriate behaviors. It gives some reasons to justify the right. There are few spelling or grammar errors.
1	The statute does not clearly state a right. It does not describe appropriate behaviors. It does not justify the right. There are many spelling or grammar errors.