



## The Bill of Rights & Me

### Purpose of the Lesson:

The purpose of this lesson is to investigate the Bill of Rights through the perspective of someone living during the ratification period. After exploring the historical perspective of the Bill of Rights through study of the Dissent of the Minority in Pennsylvania, students will be asked to apply the rights they learned about to their lives today and assess, critique, and solve problems based on the modern meaning of these rights. In doing so, students will develop a meaningful understanding of the amendments, in their original and their contemporary meanings. This understanding is essential to foster active, informed, and rational thinkers.

### Critical Engagement Questions:

How did we decide upon the first ten amendments of our Constitution? Why were those rights chosen?

### Overview of the Lesson:

The warm-up to this lesson will include a discourse between teacher and students, brainstorming various answers to questions surrounding the development of the Constitution. This can be done either verbally or, preferably, on paper.\* After the warm-up activity, students will be divided into two groups to read and identify the rights described in either the Bill of Rights or in the Minority Dissent of Pennsylvania. Groups should make a student-created booklet of the identified rights with accompanying pictures. After about 20 minutes of group-work, students will take turns presenting an amendment from their reading to the other group. The other group will then ask their classmates questions about the contemporary or historical meaning of the amendment. After each student has gotten a chance to explain, assess, critique, and defend their amendment (s), homework should be geared at having students review/revise their pre-activity answers or completing another post-lesson activity for homework.

\*You will want to provide “Bright Rights” journal to your students, as a way for the students to collect their pre-activity thoughts for reflection at the end of the lesson.

### Lesson Objectives:

1. Students will understand that at the time of the Constitution’s creation, a bill of rights was a common political concept in America.
2. Students will understand that the Framers at the Philadelphia Convention did not include a bill of rights, but we now have a Bill of Rights because Anti-Federalists fought for it.
3. Students will learn the story of the Dissent of the Minority of Pennsylvania
4. Students will summarize rights guaranteed in the Bill of Rights.
5. Students will compare and contrast the Bill of Rights with the rights proposed by the Dissent of the Minority of Pennsylvania.

## Standards:

Common Core State Standards: English Language Arts, Literacy in History/Social Studies, 6-8 Grades

1. [CCSS.ELA-Literacy.RH.6-8.7](#) Integrate visual information (e.g., in charts, graphs, photographs, videos, or maps) with other information in print and digital texts.
2. [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.
3. [CCSS.ELA-Literacy.RH.6-8.6](#) Identify aspects of a text that reveal an author's point of view or purpose (e.g., loaded language, inclusion or avoidance of particular facts)

## Materials:

1. Students will need a copy of the Bill of Rights, found here <http://consource.org/document/bill-of-rights/> and in Appendix A, as a transcript.
2. Students will need an excerpt from the Dissent of the Majority of Pennsylvania that includes the rights they requested to be protected (a numbered list found in the middle of the document) found here <http://consource.org/document/the-dissent-of-the-minority-of-the-pennsylvania-convention-pennsylvania-packet-1787-12-18/> and in Appendix B as a transcript.
3. Pieces of paper or card stock for each student group and pens, pencils, and crayons.
4. A "Bright Rights" Journal for each student, found in attached PDF (note: be sure to print double-sided)

## Time and Grade Level:

At least one 50-minute, 8th grade social studies class period

## Warm up for the Lesson:

Before launching into group work, take 10 minutes to pose the questions below to students, as a way to get them thinking about the historical narrative that led to the creation and ratification of the Bill of Rights. While you may or may not choose to discuss the answers to these questions before the lesson (allowing students to explore the answers on their own throughout the lesson is preferable, with teacher input only to correct or dig for a deeper answer from students. You may additionally choose to completely review the questions after the lesson, and/or once students have completed their post-activity review of their initial journal answers.

Teachers will want to use the sources and literature below to further inform the discussion.

## Teacher & Student Warm-up:

Background for the Educator: Heritage of the Bill of Rights

At the time of the Constitution's creation, the concept of a bill of rights was a common political concept in America. The [English Bill of Rights written in 1689](#) established that British subjects were entitled to certain rights that not even the governing sovereign, the King, could violate.

Only a few days before the Continental Congress voted to announce the Declaration of Independence in 1776, George Mason wrote the [Virginia Declaration of Rights](#). Many of the states used this as an example in writing their own bills of rights, which many states had at the time of the Philadelphia Convention of 1787.

Student Question for “Bright Rights” Journal: How do we know that a bill of rights was a common political concept at the time of the Philadelphia Convention of 1787?

On the last day of the Philadelphia Convention of 1787, the author of Virginia’s Declaration of Rights, George Mason, told the delegates of the Convention that he would “sooner cut off his right hand” than to sign the proposed Constitution because it had no bill of rights. Virginia’s governor, Edmund Randolph, also did not sign because the Constitution lacked a bill of rights. James Madison argued that each of the states already had bills of rights, so it was not necessary to create a federal Bill.

Student Question for “Bright Rights” Journal: Did the Framers at the Philadelphia Convention of 1787 include a bill of rights in the Constitution?

Because the Constitution had no bill of rights, many did not want it to be ratified. These people became known as the Anti-Federalists. People that wanted to ratify the Constitution became known as Federalists. Federalists did not believe a bill of rights was necessary. Anti-Federalists argued there must first be amendments before they could accept the new Constitution. Finally, the Federalists persuaded the Anti-Federalists to ratify the Constitution by promising that the First Congress’ first item of business would be to add the Bill of Rights. Congress kept its promise.

Student Question for “Bright Rights” Journal: Without the Anti-Federalists, do you think we would have a Bill of Rights?

The Dissent of the Minority of Pennsylvania; One of the first proposed bills of rights

Pennsylvania was one of the first states to call a ratifying convention and several delegates did not want to approve the new Constitution, mostly because it had no enumerated protection of particular rights.

They did not have enough members to stop the passage of the new Constitution, but they did have enough people to prevent a quorum (the number of people required in order to conduct business. If a quorum is not present, no votes can be made). These delegates left the state house to prevent a quorum so the convention could not pass the new Constitution.

A mob came to the homes of the Anti-Federalist delegates and forcibly dragged them through the streets and forced them in to the state house so a quorum would be present. With enough delegates for a quorum, the convention then passed the Constitution.

On December 18, 1787, in a local Philadelphia newspaper, these delegates published complaints of their abuse and their reasons for voting against the Constitution. This article, entitled “Dissent of the Minority of Pennsylvania,” included a proposed list of rights that they viewed needed protection. It was one of the first proposed bills of rights for the federal government. It helped to influence other Anti-Federalists, who

argued there must be a bill of rights. Anti-Federalists agreed to ratify because Federalists promised a bill of rights would be added. Congress adopted United States Bill of Rights on December 15, 1791.

Student Question for “Bright Rights” journal: Why did the minority of the Pennsylvania ratification convention publish this newspaper article?

Student Question for “Bright Rights” journal: How can the meaning of a particular right change over time?

Student Question for “Bright Rights” journal: Why are rights so important?

### Recommended Vocabulary Warm-up:

\*Display these key terms on a projected power point screen as you discuss the “Bright Rights” journal questions\*

**Amendment (Constitutional):** Changes in, or additions to, a constitution. Proposed by a two-thirds vote of both houses of Congress or by a convention called by Congress at the request of two-thirds of the state legislatures. Ratified by approval of three-fourths of the states.

**Bill of Rights:** First Ten Amendments to the Constitution. Ratified in 1791, these amendments limit government power and protect basic rights and liberties of individuals.

### Activity:

\*If possible, the lesson should make use of additional documents in the ConSource.org library in order to add context and detail to student understanding. See “Alternative Activities Option B” for more.

1. Before beginning the activity, begin with a short 10 minute warm-up to pose questions to the students about the creation and adoption of the Bill of Rights discussed in the warm-up. Have students write their answers/ideas in their “Bright Rights” journal.
2. Divide the Class into 2 equal groups. Assign one group to represent those who served on the committee that wrote the text of the Bill of Rights and another group to represent the Minority in Pennsylvania.
3. Distribute sheets of card stock and pens to each group.
4. Give the groups 30 minutes to read their document and identify the core rights described in the Bill of Rights/Dissent of the Minority of Pennsylvania.
5. For each Amendment they read about, have one student in a group write the amendment on a sheet of paper and draw a picture to summarize the rights guaranteed by that amendment. For each group, every student should complete at least one amendment page.
6. By the end of the 20 minutes, each group should have a complete booklet of amendments.

7. For the next 10 minutes (and the beginning of the next class if necessary), have each group take turns presenting their booklet.
8. Each student should present his/her amendment page(s), explaining why the amendment is so important and why they think it was added to the Constitution. Students should also answer questions from their peers about what the right means, in both a current and historical context. If a student gets stuck, allow them to “phone a friend” for help.
9. \*Encourage students to ask questions that require assessment, critique, or re-evaluation of the amendment in question. For example, for the freedom of speech clause, you would want to hear students ask, “does this mean that I can say bad things about the government and not get in trouble? Does this mean that I can say ANYTHING I want?”
10. Once the activity concludes, collect the booklets from the students and make photocopies to share with each student so that they will each have a copy of the final Bill of Rights and those that were originally suggested.
11. For homework, ask students to review and revise their pre-activity answers in their “Bright Rights Journals.” As an alternative, you might also want to ask students to pick one of the amendments discussed and write, in their journal, a brief recommendation for how to better word or explain that right.

### Homework:

Option A: Have students review and revise their pre-activity answers in their “Bright Rights” journals.

Option B: Ask students to pick one of the amendments discussed during the lesson and write, in their journal, a brief recommendation for how to better word or explain that right.

### Extension Activities:

Option A, Alternative Reading Addition: To add another perspective to this assignment, separate the class into three groups instead of two and assign the third group to read the English Bill of Rights.

Option B, Web Quest Exploration of the Bill of Rights using the ConSource Library: As a supplement to the group work students will do to create their booklets and prepare to explain, assess, critique, and defend their amendment (s) in front of the class, allow students to explore the [Bill of Rights legislative history](#) or [constitutional index](#) in the ConSource Library. Doing so will provide new material and elaboration for students on the rights they have discovered in their initial readings of the Bill of Rights or Dissent of the Minority in Pennsylvania. This web quest will require internet access and computers for students/student groups. This alternative activity may also require more time, and possibly two or more class periods. This addition is HIGHLY RECOMMENDED, to add context and detail to student understanding.

ACCESS: The ConSource library contains a collection of the Bill of Rights Legislative History found [here](#). This includes the debates in the House of Representatives when considering the

adoption of the Bill of Rights, proposed amendments from various states, and drafts of the Bill of Rights and votes for their addition. Students can also navigate the Constitutional Index by clause, e.g. keep and bear arms, freedom of speech, right to jury, and explore the discussion in this collection. The process is as follows:

1. Go to [www.ConSource.org](http://www.ConSource.org)
2. Click on “Index” found in the top menu; then click on “Bill of Rights (Amendments 1-10)” in the menu on left.
3. Click on an amendment of interest to explore. Each amendment will contain sub-links to the various clauses in the amendment.
4. Choose a document.
5. When the document appears, scroll through the annotations list on the right hand side to see what topics are discussed in the document
6. To find the spot in the document where a particular annotation is discussed (for example, where freedom of religion is discussed in the Magna Carta), click on the blue numbered box to the left of each annotation.
7. Clicking on the annotation topic itself will lead back to the list of documents provided in the index related to that clause or amendment.

## Appendix A. Bill of Rights

### Bill of Rights/Amendments I–X

#### 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.



## Appendix B. The Dissent of the Minority of the Pennsylvania Convention

### [The Dissent of the Minority of the Pennsylvania Convention, Pennsylvania Packet \(December 18, 1787\)](#)

The Address and Reasons of Dissent of the Minority of the Convention of the State of Pennsylvania to their Constituents...We offered our objections to the convention, and opposed those parts of the plan, which, in our opinion, would be injurious to you, in the best manner we were able; and closed our arguments by offering the following propositions to the convention.

1. The right of conscience shall be held inviolable; and neither the legislative, executive nor judicial powers of the United States shall have authority to alter, abrogate, or infringe any part of the constitution of the several states, which provide for the preservation of liberty in matters of religion.
2. That in controversies respecting property, and in suits between man and man, trial by jury shall remain as heretofore, as well in the federal courts, as in those of the several states.
3. That in all capital and criminal prosecutions, a man has a right to demand the cause and nature of his accusation, as well in the federal courts, as in those of the several states; to be heard by himself and his counsel; to be confronted with the accusers and witnesses; to call for evidence in his favor, and a speedy trial by an impartial jury of his vicinage, without whose unanimous consent, he cannot be found guilty, nor can he be compelled to give evidence against himself; and that no man be deprived of his liberty, except by the law of the land or the judgment of his peers.
4. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel nor unusual punishments inflicted.
5. That warrants unsupported by evidence, whereby any officer or messenger may be commanded or required to search suspected places, or to seize any person or persons, his or their property, not particularly described, are grievous and oppressive, and shall not be granted either by the magistrates of the federal government or others.
6. That the people have a right to the freedom of speech, of writing and publishing their sentiments, therefore, the freedom of the press shall not be restrained by any law of the United States.

7. That the people have a right to bear arms for the defence of themselves and their own state, or the United States, or for the purpose of killing game; and no law shall be passed for disarming the people or any of them, unless for crimes committed, or real danger of public injury from individuals; and as standing armies in the time of peace are dangerous to liberty, they ought not to be kept up: and that the military shall be kept under strict subordination to and be governed by the civil powers.

8. The inhabitants of the several states shall have liberty to fowl and hunt in seasonable times, on the lands they hold, and on all other lands in the United States not inclosed, and in like manner to fish in all navigable waters, and others not private property, without being restrained therein by any laws to be passed by the legislature of the United States.

9. That no law shall be passed to restrain the legislatures of the several states from enacting laws for imposing taxes, except imposts and duties on goods imported or exported, and that no taxes, except imposts and duties upon goods imported and exported, and postage on letters shall be levied by the authority of Congress.

10. That the house of representatives be properly increased in number; that elections shall remain free; that the several states shall have power to regulate the elections for senators and representatives, without being controuled either directly or indirectly by any interference on the part of the Congress; and that elections of representatives be annual.

11. That the power organizing, arming and disciplining the militia (the manner of disciplining the militia to be prescribed by Congress) remain with the individual states, and that Congress shall not have authority to call or march any of the militia out of their own state, without the consent of such state, and for such length of time only as such state shall agree.

That the sovereignty, freedom and independency of the several states shall be retained, and every power, jurisdiction and right which is not by this constitution expressly delegated to the United States in Congress assembled.

12. That the legislative, executive, and judicial powers be kept separate; and to this end that a constitutional council be appointed, to advise and assist the president, who shall be responsible for the advice they give, hereby the senators would be relieved from almost constant attendance; and also that the judges be made completely independent.

13. That no treaty which shall be directly opposed to the existing laws of the United States in Congress assembled, shall be valid until such laws shall be repealed, or made conformable to such treaty; neither shall any treaties be

valid which are in contradiction to the constitution of the United States, or the constitutions of the several states.

14. That the judiciary power of the United States shall be confined to cases affecting ambassadors, other public ministers and consuls; to cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more states- between a state and citizens of different states- between citizens claiming lands under grants of different states; and between a state or the citizens thereof and foreign states, and in criminal cases, to such only as are expressly enumerated in the constitution, & that the United States in Congress assembled, shall not have power to enact laws, which shall alter the laws of descents and distribution of the effects of deceased persons, the titles of lands or goods, or the regulation of contracts in the individual states.

After reading these propositions, we declared our willingness to agree to the plan, provided it was so amended as to meet those propositions, or something similar to them: and finally moved the convention to adjourn, to give the people of Pennsylvania time to consider the subject, and determine for themselves; but these were all rejected, and the final vote was taken, when our duty to you induced us to vote against the proposed plan, and to decline signing the ratification of the same.