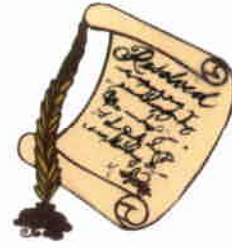




The Bill of Rights



What is the Bill of Rights?

The Bill of Rights is the first 10 Amendments to the Constitution.



What is the Constitution?

The Constitution is a document created by our founding fathers which defines the power of the federal government. The Constitution also establishes the supremacy of the federal government over any and all state governments.



Why was the Bill of Rights Created?

The Bill of Rights was created to make certain that the Constitution protected certain individual freedoms and rights. The Bill of Rights lists our country's most important rights and freedoms. The Bill of Rights gives power to the people themselves to make certain that their own liberties are not overlooked.



What is the difference between Democracy and Liberty?

Democracy means that people are able to vote for public officials in fair elections and make most political decisions by majority rule.

Liberty means that even in a democracy, individuals have rights that no majority should be able to take away. Our rights are outlined in the Bill of Rights.



Are there Responsibilities for each of us that come with the benefit of having the Bill of Rights?

Yes, every person is expected to obey the laws of the community, state, and country. All Americans are expected to respect the rights of others. No individual freedom expressed in the Bill of Rights may be used to the detriment or harm of another individual.



What are some of the most familiar rights or freedoms expressed in the Bill of Rights?

- Freedom of Religion
- Freedom of Assembly
- Freedom of Speech
- Freedom of the Press
- Protection for those Accused of a Crime
- Right to Due Process of the Law





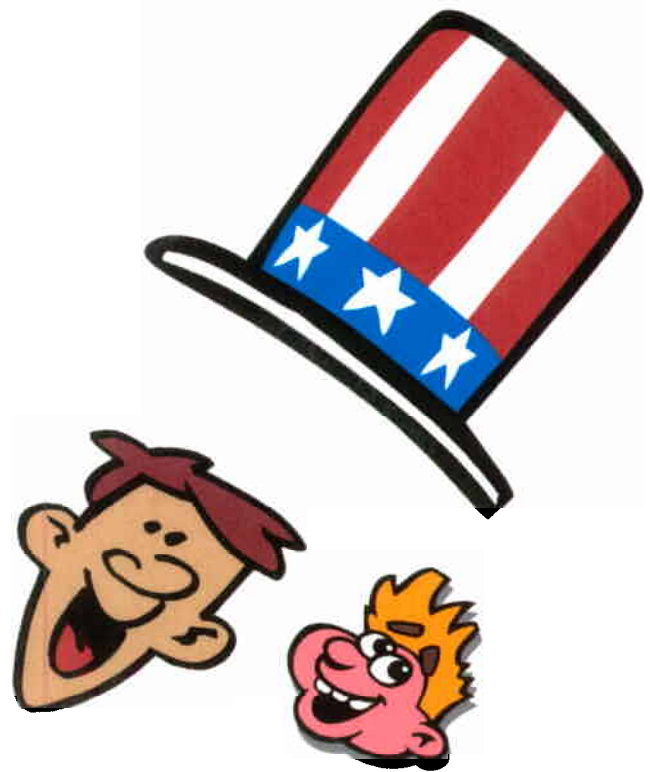
AMENDMENT 1

Freedom of Religion/Political Freedoms

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.

Five Freedoms of the First Amendment

1. Freedom of Religion
2. Freedom of Speech
3. Freedom of the Press
4. Right to Assemble
5. Right to Protest/Petition





AMENDMENT 2

The Right to Bear Arms

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.

Because it is necessary to maintain a militia of men ready to defend the country, Congress does not have the right to keep people from owning and carrying gun. This issue has been greatly debated in the past few years.





AMENDMENT 3

Quartering Soldiers

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.

During peacetime, no soldier can be forced into the homes of private citizens. During war, soldiers can be placed in private homes only in a manner as prescribed by Congress.





AMENDMENT 4

Regulation of Search and Seizure

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.

The government cannot search a person, his home, his papers, or his personal effects unless a proper search warrant has been authorized. A search warrant can only be issued through a court of law if proper explanation of why the search needs to be made has been provided. That explanation must include the place to be searched, the reason for the search, and exactly who or what is expected to be found.

The fourth Amendment protects our right to privacy including the right to be free of unwarranted and unwanted government intrusion into one's personal and private affairs, papers, and possessions.





AMENDMENT 5

Protection of Persons and Their Property

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 Militias, 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 be taken for public use without just compensation.



No one can be held in jail for a crime that is punishable by death or imprisonment, unless a Grand Jury evaluates the evidence presented to it and determines that there is enough evidence for a trial.



1. No one can be tried for the same crime twice. Once you are found not guilty by a jury, you cannot be tried for that crime again.

2. A defendant does not have to testify against himself. The defendant has the "right to remain silent."

3. All citizens are entitled to the **due process of law**. All citizens are entitled to all courses of the law before the government can take away life, liberty, or property.



The government cannot take private property for public use (to build a highway, for example) without paying a fair market value to the owner.



AMENDMENT 6

Rights of Persons Accused of a Crime

In all criminal prosecutions, the accused shall enjoy the right to a speedy 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 7

Right of Trial by Jury

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 a Court of the United States, than according to the rules of the common law.

Amendments 5 and 6 deal with **criminal** cases, but Amendment 7 deals with **civil** cases. To keep the court from harassing private citizens, this amendment guarantees trial by jury for cases involving more than 20 dollars.





AMENDMENT 8

Protection Against Excessive Fines, Bail, Punishment

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

This Amendment protects against overzealous and unreasonable treatment of the citizens by the court. Note that many punishments common at the time, are now considered to be "cruel and unusual" by today's standards.



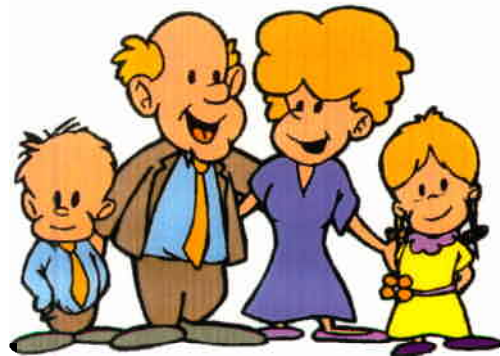


AMENDMENT 9

Guarantee of Unspecified Rights

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

This Amendment has been interpreted to protect "natural rights" including life, liberty, and the right to pursue happiness including the freedom of choice in the basic decisions of one's life with respect to marriage, divorce, and the education and upbringing of children. The colonists did not want a tyrant or a tyrannical government to control certain aspects of their life. However, many of these rights can be regulated by the state government.



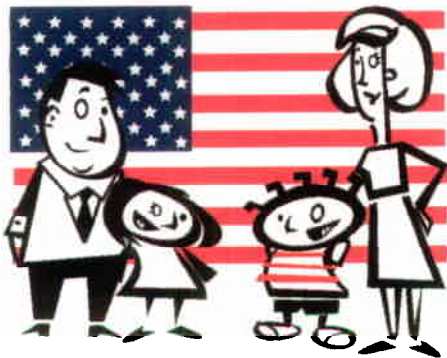


AMENDMENT 10

Powers Reserved to the States and the People

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.

The governmental powers not listed in the Constitution are powers that the states, or the people of those states, can have. This Amendment guarantees that the federal government cannot usurp power from the states by claiming powers not delegated to it by the Constitution. The Constitution leaves it to the states to make laws about marriage, divorce, education, zoning, public health, driving regulations, state roads, among others.



WORKSHEETS
AND
COLORING PAGES

Bill of Rights



Instructions: Circle Each
Right Protected by the
Bill of Rights



Freedom
of Speech



Freedom to go Fishing



Right to Play Soccer

Right to
Steal



Freedom of
the Press

Right to
Trial by Jury



Right to Due Process of the Law



Right to Go to the Carnival



Right to Peaceably Assemble

Bill of Rights Word Find

A Q B I L L O F R I G H T S M P F G
M R S A H Q B N P C I A R D N E K O
E A L T E N Y D W D L M D I P Z J V
N V G S S U J Y T R E B I L G E Y E
D X M P M A S K A L C Z N F O Z P R
M B N L T R I A L B Y J U R Y Q J N
E H L X W I G T H T M C S G P S T M
N J P F O J F R E E D O M U E A B E
T N K M H R Z B G H R N H T Y C R N
W L D U E P R O C E S S A V T I H T
J U L E O K H E Q K N T I W I R J H
V O U N A Q E C U Y S I X A F E S D
I V M D I P M H J D G T B F Z M R R
L R E D S N I K E J P U A R Y A F Y
B W N E M X E T B F Y T G A K S F S
K G E O Q U I R P Z S I Y L T Q U S
A R O A P N D C D E M O C R A C Y L
F C K C U B O V F C F N U H W J B V
B Z A H Z W E S D S X S A E P T R G
F R E E D O M O F R E L I G I O N Q

FREEDOM OF RELIGION
FREE SPEECH
UNITED STATES
DEMOCRACY
CONSTITUTION
AMERICA
BILL OF RIGHTS

LIBERTY
AMENDMENT
TEN
TRIAL BY JURY
GOVERNMENT
FREEDOM
DUE PROCESS



Bill of Rights Worksheet

Matching the Amendments with the Rights

Amendments:

Rights:

1. Worship as you please

2. Avoid unreasonable searches

3. Trial by Jury

4. Freedom of Assembly

5. Not testifying against yourself

6. No cruel and unusual punishment

7. Freedom of Speech

8. Speedy Trial

9. Not being tried twice for the same
crime

10. Bear weapons



Bill of Rights Review Worksheet



TRUE or FALSE, According to the Bill of Rights, citizens can:

- ___ 1. Worship Freely
- ___ 2. Exercise only those rights specifically listed in the Constitution
- ___ 3. Avoid having their house searched without probable cause
- ___ 4. Assembly peaceably
- ___ 5. Be compelled to house a soldier during peace time
- ___ 6. Have a trial by jury
- ___ 7. Be tried twice for the same offense
- ___ 8. Be asked to pay excessive bail to get out of jail
- ___ 9. Speak Freely



Some of the Founding Fathers



George Washington



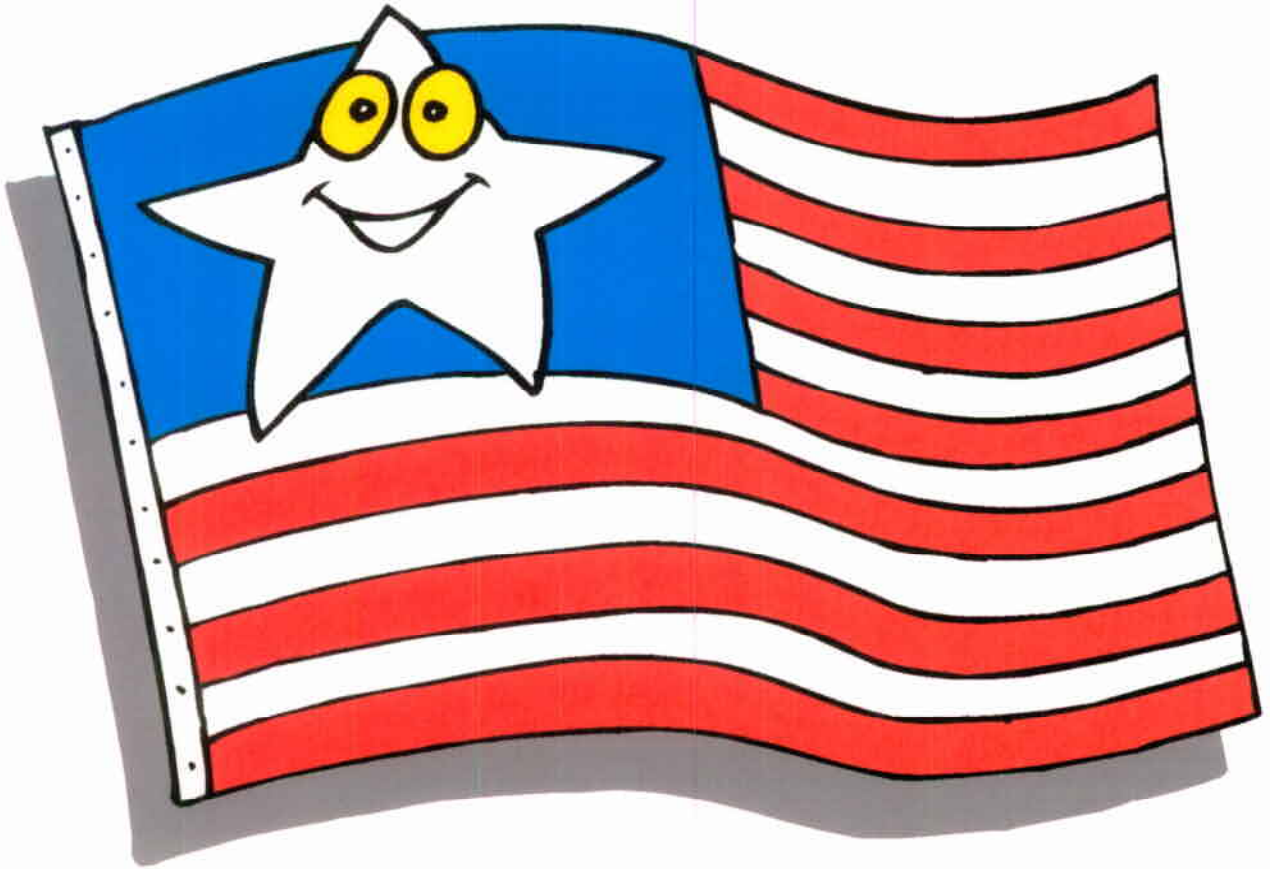
James Madison



Benjamin Franklin

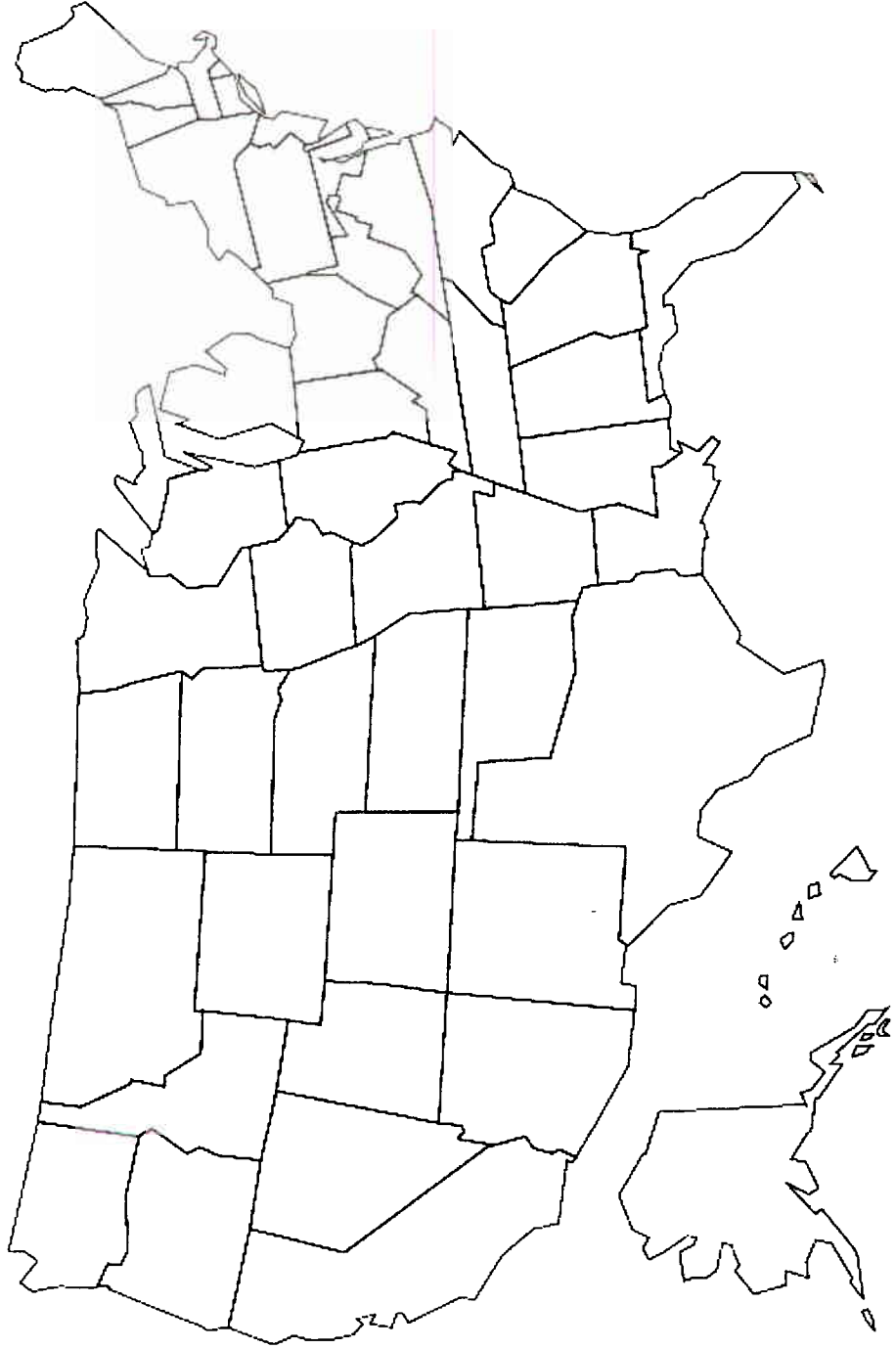


COLORING PAGE



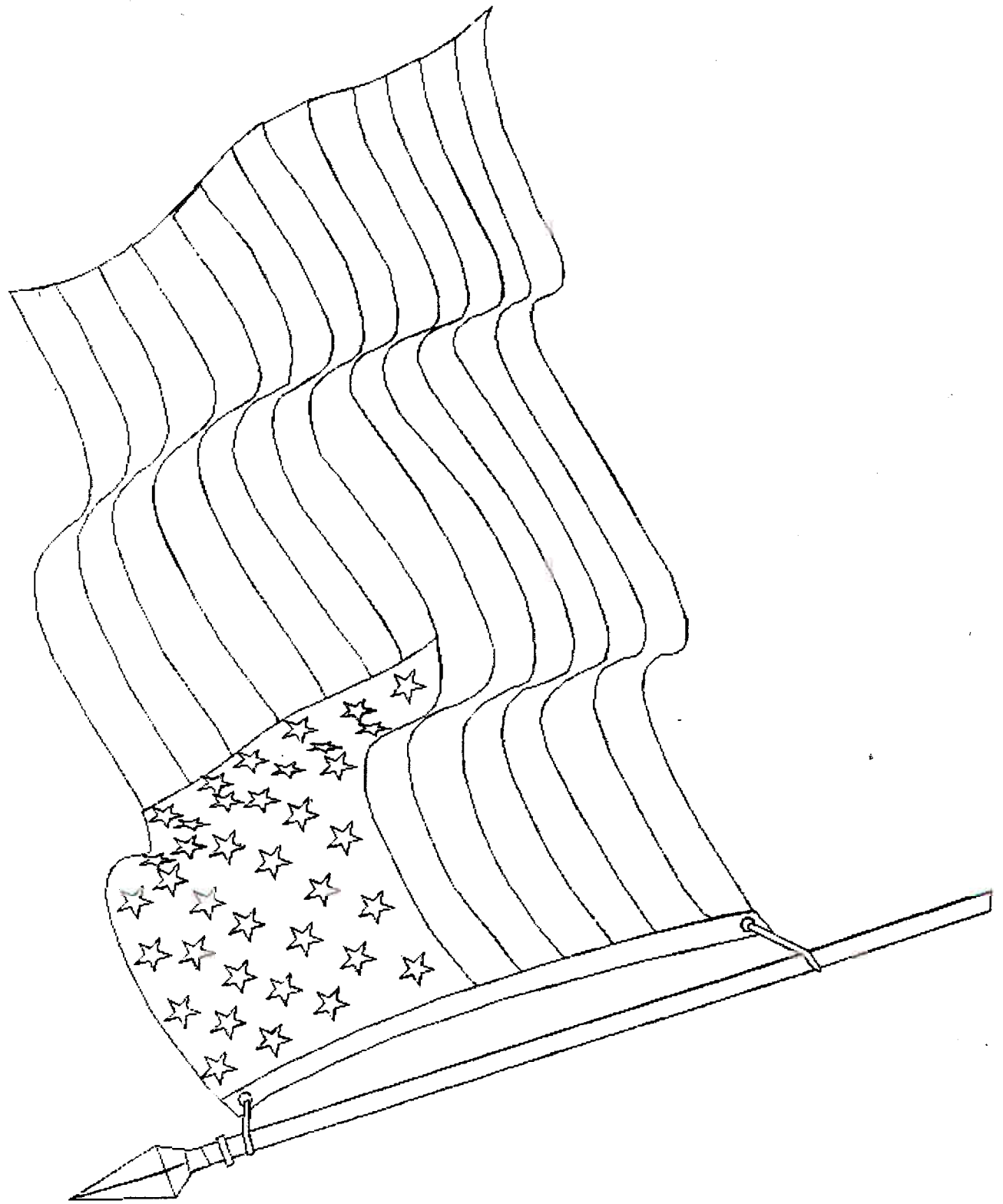


The United States of America





**THE
STATUE
OF
LIBERTY**



ASK ME WHAT'S GREAT ABOUT AMERICA

Objectives:

Students will identify major values in the Bill of Rights

Students will understand that the purpose of the Bill of Rights is to balance the power of the government and the rights of the people

Students will understand the importance of patriotism and gain an appreciation for the basic democratic values of our national heritage.

Students will be aware of their rights and responsibilities as they pertain to the Bill of Rights.

Students will understand how the Bill of Rights can apply to their daily lives

Additional Notes:

After the Declaration of Independence was signed in 1776, the Articles of Confederation were set up in 1777 to form one nation. In May of 1787 in Philadelphia, several leaders in the country met to amend the Articles of Confederation. On September 17, 1787 thirty-nine of the founding fathers, including George Washington, James Madison, and Benjamin Franklin, signed the completed document - the U.S. Constitution.

Ten amendments were added to the Constitution in 1791 - the Bill of Rights. The Constitution has survived for over 200 years and still stands strong. The Bill of Rights outline certain specific rights and protections to individuals. The Bill of Rights was drafted because there was an overwhelming urge and insistence among the people that an assurance of the individual rights of man should be spelled out very clearly in the Constitution. The Constitution when into effect in 1789 and the Bill of Rights were approved and became part of the Constitution by 1791. Because they followed so soon after the original document, they are looked at historically as almost being a part of the original document. The first ten amendments point to the power of the people themselves to make certain that their own liberties were not overlooked.

The Constitution clearly defines the power of the federal government and it establishes the supremacy of the federal government over any and all state governments. The people wanted their rights protected, too - and that protection came in the Bill of Rights. Many of the amendments in the Bill of Rights were born out of the experience of the American Revolution. The writers of the Bill of Rights feared that if the rights weren't spelled out in the Constitution that the federal government would assume jurisdiction.

More Notes on Amendment 1:

Five Freedoms of the First Amendment

1. Freedom of Religion - Congress cannot make a law that establishes an official religion; Congress cannot pass laws that prohibit the people from following any religion they choose, as long as the practices of the religion do not violate any of our other laws. Everyone is given the right to exercise one's own religion, or no religion, free from any government influence or compulsion. The Establishment Clause prohibits the government from supporting one religion over another. The Exercise Clause: protects a person's right to any religious belief. Remember that a religious *belief* cannot be abridged, but a religious *practice* can be regulated.

2. Freedom of Speech - Congress cannot pass laws that prohibit people from speaking their thoughts.

3. Freedom of the Press - Congress cannot pass laws that prohibit people from writing their thoughts.

4 and 5. Right to Assemble/Right to Protest - Congress cannot pass laws that prohibit people from writing their thoughts.

The five freedoms were intended to provide the people with the freedoms necessary for self-expression. However, these freedoms are not without limitations and restrictions. Responsibilities come with these rights. The courts must protect people from pursuing their own self-interests to the point of bringing harm to other people, or in some way violating their own personal rights.

With respect to the Freedom of Speech, Press, Petition & Assembly, even unpopular expression is protected from government expression or censorship.

Notes on Amendment 6: Rights of Persons Accused of a Crime

This amendment lays out eight specific rules for the judicial treatment of people who are charged with a crime.

1. Anyone charged with a crime has a right to a speedy trial.
2. The trial has to be public so nothing secret can go unseen by the citizens.
3. The jury has to be impartial or be made up of people who do not have an opinion about the crime that had been committed or the accused.
4. The trial has to take place in the place where the crime is

committed.

5. The accused has to be informed of the charges.
6. The person on trial has to be able to see the people who were witnesses in the case.
7. The accused has to have a means by which to call witnesses of his own defense.
8. The person accused of the crime has a right to an attorney.

Due Process of Law - The right to be treated fairly by the government whenever the loss of liberty or property is at stake.

Equality Before the Law - The right to be treated equally before the law, regardless of social status.

Notes on Amendment 4: Search and Seizure

Four Elements Required by the Fourth Amendment before a Legal Search can be Made:

1. Probable cause
2. Oath
3. Description of a place to be searched
4. Description of persons or things to be seized.

Some Practical Examples of Applying the Amendments:

1. X has the right to believe in anything he wants. But the Supreme Court has ruled that not all religious practices are legal. Though the Constitution protects a person's right to believe in any religion, Congress can legislate to stop certain religious practices. Congress prohibits the practice of polygamy.

2. X is charged with murder. After a long trial, the jury declared X not guilty. Several months later, additional evidence is discovered that proves the X committed the crime. However, X cannot be tried again because the Fifth Amendment guarantees that no person can be subject for the same offence to be twice put in jeopardy . . .

3. First Amendment: The Clear and Present Danger Test

Speech can be limited if it shown to present a danger to the community. For example, in the case of Scheneck v. United Stated (1919), a man falsely shouted

"fire" in a theater and caused a panic. This type of speech is not protected by the First Amendment because the speech caused danger to people pushing their way out of the theater. The clear and present danger test is also applied to freedom of speech and freedom of press.

Additional Activity Ideas:

1. **Writing and Art Activity:** Students can write and illustrate books about the first ten amendments that reflect their feelings and interpretations of the Bill of Rights. These books, either done individually, in groups, or as a class, could be donated to the school library.

2. **Cumulative Activity: Bill of Rights Bingo:**

Make a Bingo Board with the spaces filled in with the number of an Amendment (1-10). A letter is drawn (e.g. "B") and then a question or statement is read which relates to one of the ten Amendments. Students would put a marker on the corresponding amendment number in column "B" on their board if that Amendment number appears in their column "B".

3. Students enjoy to be divided up into groups to be a part of the discussion. One idea is to divide the students into groups representing the 13 colonies and representative colonists who are helping to draft the Bill of Rights.

4. Find an appropriate grade-level story book which covers the drafting of the Bill of Rights to be read to the students. The book can then be donated to the classroom. Some examples may include:

a. The U.S. Constitution and You by Syl Sobel, Denise Gilgannon (Illustrator); Reading level: Ages 9-12

b. A Kids' Guide to America's Bill of Rights: Curfews, Censorship, and the 100-Pound Giant by Kathleen Krull, Anna Divito (Illustrator); Reading level: Ages 9-12

c. The Bill of Rights (Cornerstones of Freedom) by R. Conrad Stein; Reading level: Ages 9-12

d. The Bill of Rights: The First Ten Amendments to the Constitution (The Constitution) by David Hudson; Reading level: Ages 9-12

Answers to the Worksheets

Amendment Match:

1. Amendment 1
2. Amendment 4
3. Amendment 6
4. Amendment 1
5. Amendment 5
6. Amendment 8
7. Amendment 1
8. Amendment 6
9. Amendment 5
10. Amendment 2

True or False

1. T
2. F
3. T
4. T
5. F
6. T
7. F
8. F
9. T