



CELEBRATING THE BILL OF RIGHTS

WHY CELEBRATE THIS DAY?

The Bill of Rights, the Constitution and the Declaration of Independence are considered the most important documents in our nation's founding and history and are prominently displayed at our National Archives.

In 2002, the Missouri General Assembly, the state legislative body, declared December 15 "Bill of Rights Day" in Missouri (RSMo9.141). The law states that "the bill of rights should be read in public schools and the day should be remembered with appropriate exercises."

AMENDMENT 1 — 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 2 — 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 3 — No soldier shall, in time of peace be quartered in any house, without the consent of owner, nor in time of war, but in a manner to be prescribed by law.

AMENDMENT 4 — 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 warrant 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 5 — 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 6 — 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 7 — In suits at common law, where the value in controversy shall exceed twenty dollars, the right of the 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 8 — Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

AMENDMENT 9 — The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage other rights retained by the people.

AMENDMENT 10 — 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.

DECEMBER 15, 1791

The signing of the Constitution on Sept. 17, 1787, was just the beginning of the story of our Constitution. Nine of the states had to ratify, or approve, the Constitution before it could become the law of our nation.

In New York and Virginia, men like Patrick Henry ("Give me liberty or give me death!") were passionate in their opposition to the Constitution. They felt there were not enough freedoms guaranteed. James Madison, Alexander Hamilton and others disagreed, saying the Constitution protected all of the rights of the people.

Madison and the others feared that the Constitution would not pass without something to assure the people that it protected the freedoms they fought for in the Revolutionary War. They were able to win approval of the Constitution by promising to amend, or change, the Constitution so that all of the freedoms and rights were spelled out. On December 15, 1791, four years after our Constitution was written and signed, the first 10 amendments to the Constitution, the Bill of Rights, was passed.

TEACHING ACTIVITIES

Two websites used as sources for this feature are www.constitutioncenter.org and www.archives.gov.

GRADES 4 – 6

- 1 Look at Amendments 1, 4, 5, 6 and 8 in the Bill of Rights. List all of the rights and freedoms contained in those amendments. As a class, collect newspaper articles that are related to the rights and freedoms guaranteed in those amendments.
- 2 Dr. Martin Luther King, Jr. was an important civil rights leader in the 1960s. Read about King and then consider how he used the freedoms in the First Amendment to make people aware of unfair treatment of black Americans.
- 3 There are far more United States Supreme Court cases on the Bill of Rights than on any other matters. During the Vietnam War, three young people

wanted to show their disapproval of the war, so they wore black armbands to their Iowa high school. The school said the students were disrupting classes. The United States Supreme Court said that the students had freedom of speech, but agreed that the school had the right to prevent disruptions. Several years ago, a man in Texas was angry with the government and burned a flag on a sidewalk. He was arrested. The U.S. Supreme Court said the man's right to free speech included being able to burn the flag to protest the government. Why do you think the Court ruled the way it did in these cases? Do you think schools are different from a public sidewalk?

GRADES 7 – 9

- 1 Look at Amendments 2 and 3. These are freedoms we rarely, if ever, think about today. Go to www.constitutioncenter.org, the interactive site for the Constitution and find out why these two amendments were so important to the framers of the Constitution. Do you think the Second Amendment was meant to guarantee that an individual could carry firearms? Why or why not?
- 2 Why is the freedom of the press so important to our system of government—a government for the people, by the people and of the people? If newspapers could print only what the government allowed them to print, who would have the power—the people or the government? In groups,

look at newspapers and count the number of articles that report on local, state and federal government activities. Discuss how these articles help us to be better informed citizens.

- 3 At the end of the Fifth Amendment are the words, "nor shall private property be taken for public use without just compensation." When do you think it is necessary for government to take property for the common good of all of its citizens? What kinds of things do governments need to build? How does the Fifth Amendment protect the people who own the property that the government needs to build things on?

GRADES 10 – 12

- 1 The two groups who argued about the need for a Bill of Rights were the Federalists and Anti-Federalists. Research their views on the Bill of Rights and then prepare a debate on having a Bill of Rights. Are some of their arguments still relevant today?
- 2 The framers of the Constitution actually submitted 12 amendments to the states in the Bill of Rights. The first two were not approved. The first amendment stated that each representative in the House of Representatives could only represent 50,000 people. Based on the 2000 census, how many representatives would we now have in the House of Representatives? Why would this

amendment eventually have had to be repealed as our nation grew? Why does technology make it easier for a representative to now represent more people?

- 3 The Founding Fathers stated on many occasions that the only way our country would survive would be for the citizenry to be educated about their government. Examine different newspapers and list articles that report on local, state or federal government activities. Summarize the purpose of the article and then consider why this article is important to you being an educated citizen. How could articles like these affect how you vote, your desire to run for an elected office and your desire to write to an elected official?

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