

Unit IV: Rights and Responsibilities

LESSON 2: MR. MADISON NEEDS SOME HELP

OBJECTIVES

Students will be able to:

- Explain why the Bill of Rights was added to the Constitution.
- Identify rights they have learned about in previous units.
- Recall rights and freedoms they have learned about through their study of U.S. history.
- Use critical-thinking skills to decide what rights should be included in the Bill of Rights.
- Justify their decisions.

PREPARATION

Preparation

Day One

- **Handout A: Mr. Madison Needs Some Help**—1 per student

Day Two

- **Handout B: Instructions**—1 per group of 2-3 students
- **Handout C: Dear Mr. Madison (Letter Writing)**—1 per group of 2-3 students
- **Handout D: The Bill of Rights**—1 per student

Overview

In this two-day lesson, students prepare to help James Madison decide what rights and freedoms should be included in the Bill of Rights.

On Day One, through reading and discussion, students meet Madison as he is struggling to write the Bill of Rights.

On Day Two, students work in small groups to create their own lists of rights to be included in the Bill of Rights. Students then compare their lists with the Bill of Rights.

STANDARDS ADDRESSED

National U.S. History Standard 8: Understands the institutions and practices of government created during the Revolution and how these elements were revised between 1787 and 1815 to create the foundation of the American political system based on the U.S. Constitution and the Bill of Rights. (3) Understands the significance of the Bill of Rights and its specific guarantees (e.g., the relevance of the Bill of Rights in today’s society).

California History-Social Science Content Standard 5.7: Students describe the people and events associated with the development of the U.S. Constitution and analyze the Constitution’s significance as the foundation of the American republic. (2) Explain the significance of the new Constitution of 1787, including the struggles over its ratification and the reasons for the addition of the Bill of Rights.

California History-Social Science Framework: Goal of Democratic Understanding and Civic Values:

Constitutional Heritage. To understand the nation’s constitutional heritage, students must: Understand the basic principles of democracy. . . . They need to develop an appreciation for the guarantees provided in the Bill of Rights

Day One Procedure

A. History Review—The Rest of the Story . . .

1. Remind the class that in the last unit, they learned about the colonists declaring their independence from England. Ask:
 - What did it mean when the colonists declared independence? (They broke away from England and started their own country.)
 - Why did they want to be independent from England? (They felt the British government was treating them unfairly. Examples might include taxation without representation, quartering troops.)
2. Explain that the colonists had to fight for their independence. Review highlights of the American Revolution students have studied.
3. Explain that once the Americans won their independence from England, there was still a lot of work to be done in creating their own country. Many of the leaders during the struggle for independence continued to lead the nation in planning how the new American government would work.
4. Tell the class that after experimenting with a government that loosely bound the states together, they found that this new government (under the Articles of Confederation) did not work. The leaders then created a stronger national government by writing and adopting the U.S. Constitution. Explain that today they are going to meet a man known as “The Father of the Constitution and Bill of Rights.” Tell the class that this man later went on to become the fourth president of the United States (1809–1815).

B. Reading and Discussion—Mr. Madison Needs Some Help

1. Distribute to each student **Handout A: Mr. Madison Needs Some Help**. After reading the story with the class, lead a discussion using the following questions:
 - What job did James Madison have to do? (Write the Bill of Rights.)
 - Why did people want a Bill of Rights added to the Constitution? (To protect individual rights; to make sure the government could not take away freedoms the colonists had fought for.)
 - Why was Madison thinking about the things the colonists had been through under British rule? (To help him decide what rights were important to the people.)
 - What is one right or freedom you think Madison should include?
2. Tell students to remember their good ideas, because in the next lesson, they are going to help Madison decide what rights and freedoms to include in the Bill of Rights.

Day Two Procedure

A. Focus Activity

1. Remind students that in the last lesson, James Madison was struggling to write the Bill of Rights. Ask:
 - What is Mr. Madison trying to decide? (What rights and freedoms need to be in the Bill of Rights.)
 - Why are these decisions so important? (The Bill of Rights will become a part of the Constitution. Freedoms and rights of citizens will be protected by this document.)
2. Tell students that today they are going to see what they can do to help Mr. Madison decide what rights and freedoms he should include in the Bill of Rights.

B. Small-Group Activity—Dear Mr. Madison

1. Divide the class into groups of 2–3 students and distribute **Handout B: Instructions** and **Handout C: Dear Mr. Madison** to each group.
2. Explain that to help James Madison, they are going to have to think back to what they have learned about U.S. history this year. Remind them of what they have learned about equal protection and due process rights in previous units.
3. Tell groups their tasks are to:
 - Make a list of at least 10 rights and freedoms.
 - Decide which five of these they should give to Mr. Madison to include in the Bill of Rights.
 - Complete and sign the letter to James Madison explaining why the group chose these five rights or freedoms.

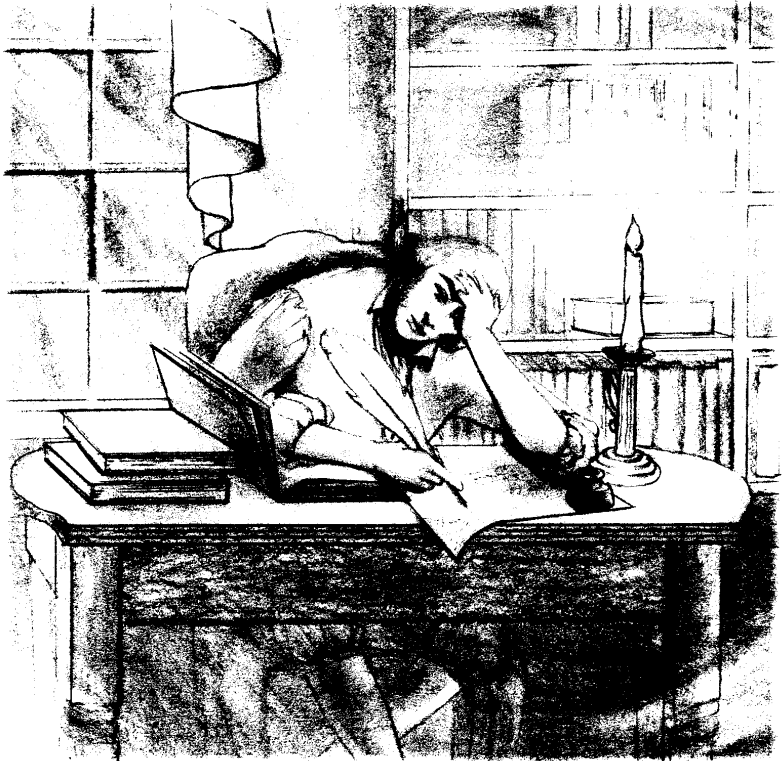
C. Discussion and Debriefing

1. When the groups have completed their letters, have the reporters from each group share one of the rights they chose. If possible, reporters should not duplicate responses. Make a list on the board of the rights and freedoms chosen. After each group has reported, give the groups an opportunity to add from their lists other rights and freedoms not already on the board.
2. Distribute **Handout C: The Bill of Rights** to each student and explain that the first 10 amendments make up the Bill of Rights. As a class, compare the rights and freedoms listed on the board to those in the Bill of Rights. Ask:
 - What freedoms and rights did we think of that are included in the Bill of Rights?
 - Were there any rights or freedoms we thought of that are not included?

Explain that when Madison and the other founders created the Constitution, they were smart to include a plan for how to change, or amend, it. Since the first 10 amendments in the Bill of Rights, there have been 17 more amendments added. Point out the 13th and 19th amendments as examples of rights and freedoms we have gained over time.

Mr. Madison Needs Some Help

Mr. James Madison was sitting at his desk thinking. He had been there for hours, and night was beginning to fall. He lit the brass candlestick next to his inkwell, and a soft yellow glow filled the room. Madison was tired. But he knew he could not give up until he finished the job. He had to think hard, for America was depending on him.



His job was to make a list of the freedoms and rights Americans valued the most. This list was going to become a part of the U.S. Constitution and would be called the Bill of Rights.

Madison remembered when he had worked on the Constitution. It had been two years since George Washington, Benjamin Franklin, and 52 other men from the states gathered in Philadelphia. They had come to plan how the new nation's government should work. They had argued and struggled. Everyone wanted to make sure that the new government would be strong, but no one wanted to be ruled by an unfair authority again. Finally, almost everyone agreed on the plan. The plan was called the Constitution.

But many people were worried that something was missing from the Constitution. They wanted to make sure that the freedoms and rights Americans had fought for would never be taken away by any government, including our own. Several states decided they would only approve the Constitution if these rights and freedoms were added in a Bill of Rights.

The night grew darker as Madison thought about all the Americans had been through under British rule. They had been taxed unfairly,

told what they could and could not say about the king, and arrested for even meeting with other patriots. They had been forced to give food and shelter to British soldiers.

He remembered how British soldiers and officers of the king had searched people's homes and taken their belongings without good reasons. Some had been arrested and jailed without trials. Others had been put on trial, but not allowed to have a jury decide their case. He knew that Americans had not forgotten what they had fought for, and many wanted to make sure that the new government would never be able to take away their freedoms again.



But what freedoms were the most important? The states had given him hundreds of ideas about what to include in the Bill of Rights. His good friend, Thomas Jefferson, had sent him many letters and books. But now it was all on his shoulders. He had to decide what was important.

Mr. Madison could use your help.

Name _____

Date _____

Instructions

Your job is to help James Madison decide what rights and freedoms should be included in the Bill of Rights. To help you get started, you might want to read the story "Mr. Madison Needs Some Help" again.



Step 1: Assign jobs. Decide who will do the following jobs in your group:

Recorder. This person will be in charge of writing the group's ideas and answers.

Reporter. This person will be in charge of sharing your ideas and reasons with the rest of the class.

Step 2: Brainstorm rights and freedoms. Work together to think of at least 10 rights or freedoms you think Americans should have. Make your list here:

Step 3: Narrow your list down to five. You will give your five best ideas, or most important rights, to Mr. Madison. Work together to decide which five you think **really** need to be included in the Bill of Rights. For each right or freedom you choose, write a short reason to James Madison to convince him it is important.

Step 4: Fill in the Dear Mr. Madison letter. Write your five rights and the reasons you chose them on this letter. When you finish, everyone in the group should sign the letter.

Name _____

Date _____

Dear Mr. Madison

Dear Mr. Madison:

We have made a list of the rights and freedoms we believe are most important to Americans. We hope this will help you decide what to include in the Bill of Rights.

I. _____

Reason:

II. _____

Reason:

III. _____

Reason:

IV. _____

Reason:

V. _____

Reason:

We the undersigned agree that these rights and freedoms should be protected in the Bill of Rights. (Sign your names!)

The Bill of Rights

The **First Amendment** protects everyone's right to:

- freedom of speech.
- freedom of the press.
- assemble peaceably.
- petition and complain to the government.
- practice any religion.

It also keeps the government from setting up a religion or favoring one religion over another one.

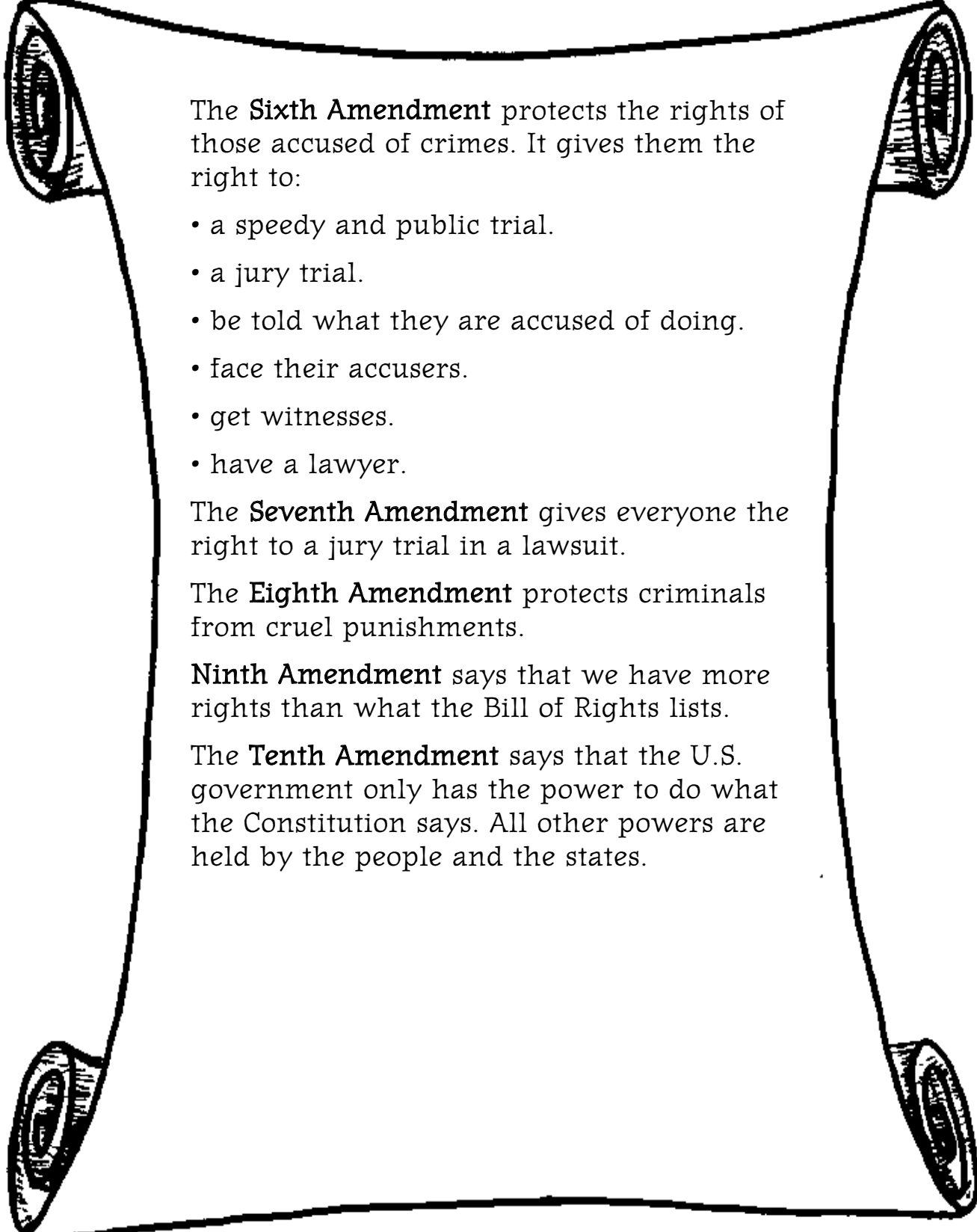
The **Second Amendment** says a citizen army is important and gives people the right to have guns.

The **Third Amendment** keeps the government from making people feed and house soldiers in their homes.

The **Fourth Amendment** stops police from searching people and their houses without a good reason.

The **Fifth Amendment** protects everyone's right to:

- due process of law.
- not be tried twice for the same crime.
- not be forced to be a witness against yourself in a criminal trial.
- be paid if the government takes your property for public use.



The **Sixth Amendment** protects the rights of those accused of crimes. It gives them the right to:

- a speedy and public trial.
- a jury trial.
- be told what they are accused of doing.
- face their accusers.
- get witnesses.
- have a lawyer.

The **Seventh Amendment** gives everyone the right to a jury trial in a lawsuit.

The **Eighth Amendment** protects criminals from cruel punishments.

Ninth Amendment says that we have more rights than what the Bill of Rights lists.

The **Tenth Amendment** says that the U.S. government only has the power to do what the Constitution says. All other powers are held by the people and the states.