

## LESSON

## 2

**Why a Bill of Rights? What Impact Does it Have?****Overview**

The debate over the Bill of Rights was not an argument over whether rights exist, but about how best to protect those rights. The Founders disagreed about whether a bill of rights was necessary, and whether it could be effective. Current and future generations continue to face the challenges of safeguarding individual rights.

**Standards**

- NCHS (5-12): Era III, Standards 3A, 3B
- CCE (9-12): IIIA1
- NCSS: Strands 6 and 10

**Recommended Time**

One 45-minute class period.

**Objectives**

*Students will:*

- Explain the arguments of the Federalists and Anti-Federalists regarding the Bill of Rights.
- Identify continuing controversies regarding appropriate powers of government versus individual rights.
- Analyze the implications of Federalist and Anti-Federalist positions.
- Participate in civil discourse concerning the Bill of Rights.

**Materials**

STUDENT

- Background Essay
- Reading Quiz (optional)
- Founders DVD: Segment Two and Viewing Guide
- Handout A: Understanding Positions of Federalists and Anti-Federalists
- Handout B: Federalists and Anti-Federalists Venn Diagram
- Handout C: Classifying Quotes

TEACHER

- Primary Passage Quote Cards
- Key: Handout A
- Key: Handout B
- Key: Handout C

**Lesson Plan****1. Background/  
Homework**

*[10 minutes the day before]*

**A.** Assign the Lesson Two **Background Essay, “Why a Bill of Rights? What Impact Does it Have?”** for students to read prior to class time. Along with the essay, give students **Handout A: Understanding Positions of Federalists and Anti-Federalists** to fill in as they read.

**B.** Before class, print out **Primary Passage Quotes**, laminate them, and tape them up around the room.

**2. Warm-Up**

*[10-15 minutes]*

**A.** Begin discussion of the Founders by talking about a “real life” news story highlighting the topic. Visit the Bill of Rights Institute website, <http://www.billofrights.org>, for daily headlines or a complete “Bill of Rights in the News” activity.

**B.** Divide students into pairs or trios and ask them to share their homework **Handout A** chart responses and compare their answers.

**C.** Have each group identify which argument they feel is strongest for each heading—Federalists and Anti-Federalists.

### **3. Activity** [20-30 minutes]

**A.** Show segment two of Founders DVD and have students complete Viewing Guide.

Give each group a copy of **Handout B**, instructing them to complete the Venn diagram using key words to record the positions of the Federalists and Anti-Federalists.

**B.** Go over the Venn diagrams as a class, and answer any questions.

**C.** Have students walk around the room with a partner and read each of the quotes. Each pair should have **Handout C**. Each pair should discuss each quote and decide whether it represents Federalist or Anti-Federalist beliefs. They should then write “F” or “AF” beside each number on their paper as they walk around the room.

**D.** After everyone has finished, discuss each quotation as a class and reveal who the speaker in each case is.

**E.** Wrap up by asking students about a time when they either experienced their own rights being abridged, or witnessed

this happen to someone else. How did this make them feel? What was, or should be, the government’s role in protecting everyone’s rights?

## **Extension Options**

### **Homework**

**A.** Have students choose one quote from the quote cards and write a two to three paragraph essay either supporting or refuting its position.

**B.** Ask students to choose one Federalist or Anti-Federalist thinker and assume their persona. Have them compose a one-page, persuasive speech he might have given about the Constitution and whether it should be ratified as is, ratified with conditions, or not ratified.

### **Enrichment**

**A.** Ask students to write a personal narrative or one-act play based on their answer to part E of the class discussion. Were their own rights ever been abridged, or did they witness this happen to someone else? What was the outcome, and how did it change their perspective on individual rights?

**B.** Have students find newspa-

per clippings or on-line articles that relate to the central concepts of this lesson: How can government be structured to best protect individual rights? Create a bulletin board to display the collected clippings. Have students speculate how James Madison or George Mason would have responded to the issues raised by the articles.

## LESSON 2 **Why a Bill of Rights? What Impact Does it Have?**

All have heard the saying, “Great minds think alike.” When many great minds of the colonies gathered to create a new government, two rarely thought exactly alike. The Bill of Rights was created through the kind of debate and exchange of ideas that it protects to this day.

The Declaration of Independence states the purpose of government is to protect our basic human rights. This was one principle that all the Founders did agree on. But if they created a great system to protect rights, why did they argue about a bill of rights?

### READING TIP:

As you read, look for the main ideas of the Federalists and Anti-Federalists.

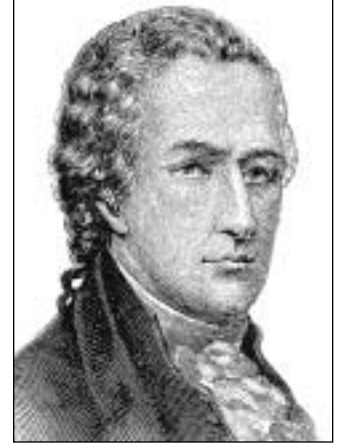
### Who Were the Federalists and Anti-Federalists?

Two groups formed during the discussion over a bill of rights. **Federalists** strongly supported the Constitution as it was written and did not think a bill of rights was needed. **Anti-Federalists** felt that a bill of rights would prevent the central government from threatening states’ authority and oppressing citizens.

Federalists included Alexander Hamilton from New York and, at first, James Madison from Virginia. They believed a bill of rights was not needed because the Constitution itself limited the government’s powers. They also feared that creating a list of rights might

lead to other dangers. It would be impossible to list every right. Federalists did not want certain rights to be ignored just because they were not listed.

Anti-Federalists included George Mason and Patrick Henry of Virginia. They thought that listing rights would help protect against the powerful central government taking away the freedoms they had fought a revolution to preserve.

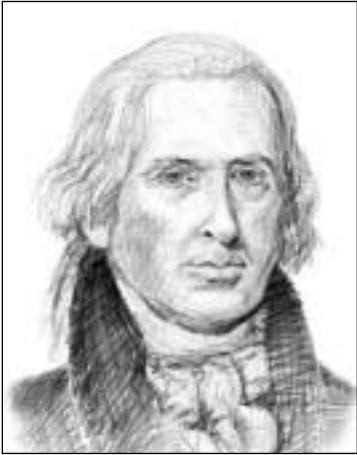


ALEXANDER HAMILTON

### Why Did Madison Change His Mind?

The Constitutional Convention ended in late 1787, but the debate went on. Nine states ratified (approved) the Constitution by the summer of 1788. However, New York, Virginia, and Massachusetts submitted long lists of proposed amendments to guarantee rights. It became clear the people wanted a bill of rights.

Madison sought the advice of Thomas Jefferson, John Adams, George Mason and President George Washington. They all expressed support for a bill of rights. Mason suggested using state declarations of rights as a guide. Madison changed his mind and encouraged his fellow congressmen to support a bill of rights in 1789.



JAMES MADISON

Madison offered many proposed changes to Articles I and III of the Constitution on June 8, 1789. He originally made small word additions and changes to the original Constitution. Some Congressmen objected, arguing that Congress did not have the power to change the original form of the Constitution.

They decided the Amendments would be added as a separate list.

The House of Representatives debated through the summer. On August 24, 1789, the House sent a list of seventeen amendments to the Senate. The Senate approved twelve. Those twelve were sent to the states for ratification (approval). On December 15, 1791, Virginia's state convention became the last to ratify the ten amendments that protected rights. The Bill of Rights now joined the Constitution as the governing document of the United States.

### **What Is the Impact of the Bill of Rights?**

The Bill of Rights limited only actions taken by the federal government against people. The Founders assumed citizens would be protected by their home states' constitution. For this reason, the Bill of Rights did not strongly impact Americans' lives until the Fourteenth Amendment was passed. The Fourteenth Amendment applied the Bill of Rights to state governments.

*The Bill of Rights began with debate over its very existence.*

In the twentieth century, the role of the federal government shifted. As a result of the federal government's expanded role, its size, purpose, and significance have changed. The change also affected the national view of the Bill of Rights. The document that rarely affected American's lives soon after its ratification now takes center stage in American society and politics.

The Bill of Rights began with debate over its very existence. Perhaps it is fitting that it still brings about questions and controversy today. Great minds do sometimes think alike, but the Bill of Rights protections ensure that the law cannot make them do so.

**LESSON 2** *Understanding Positions of Federalists and Anti-Federalists*

**Directions:** Fill in the chart below with positions of Federalists and Anti-Federalists. Then answer the questions below.

<b>FEDERALISTS</b> (Alexander Hamilton, James Madison)	<b>ANTI-FEDERALISTS</b> (George Mason, Patrick Henry)

1. Name two points of agreement among Federalists and Anti-Federalists.

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2. Which point do you think is each side's strongest argument?

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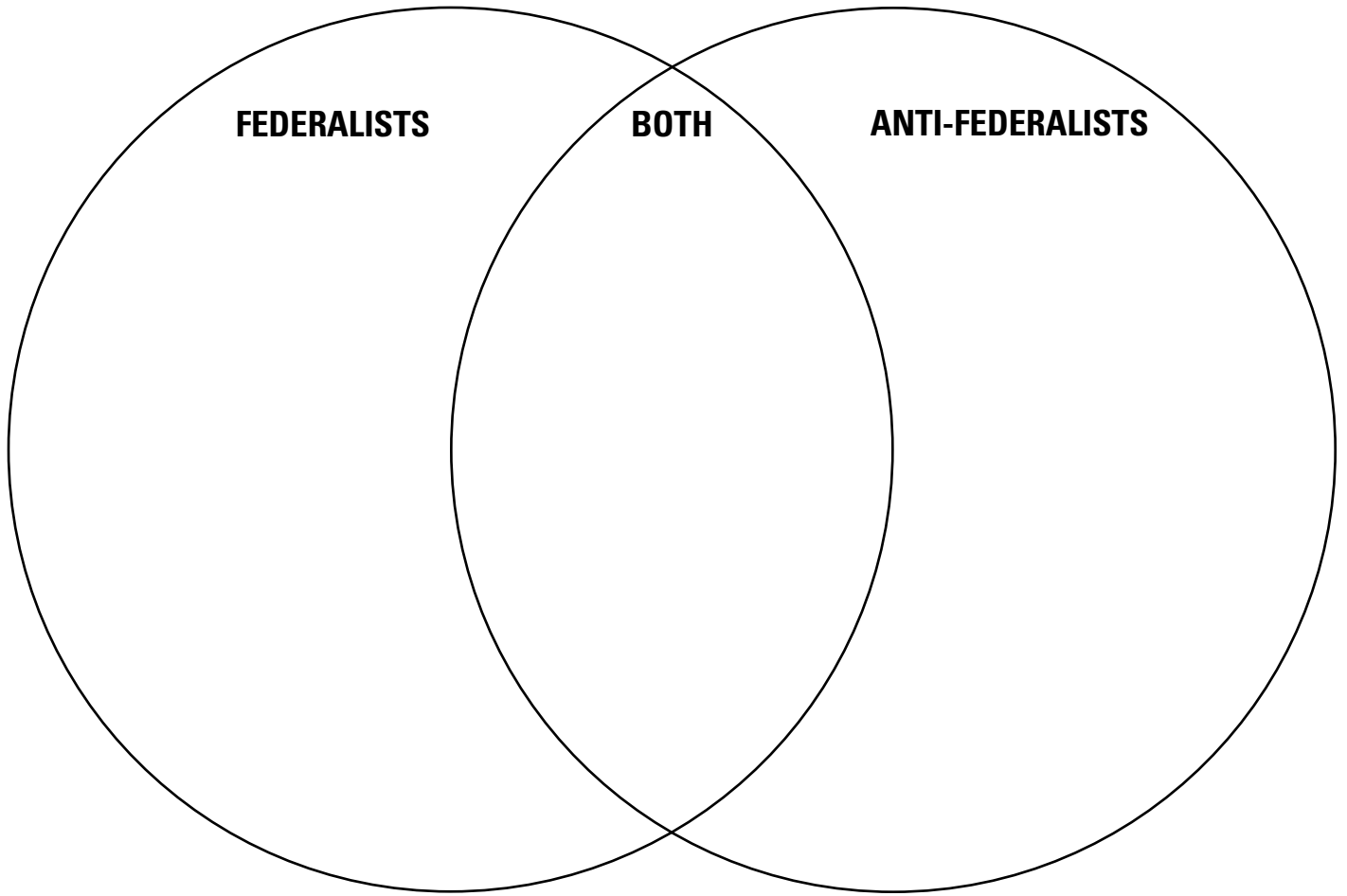
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**LESSON 2** *Federalists & Anti-Federalists Venn Diagram*

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**Directions:** Fill in the chart with positions of Federalists, Anti-Federalists, and the points on which they agreed.



## LESSON 2 *Classifying Quotes*

**Directions:** Read each quote and decide whether it represents Federalist or Anti-Federalist views. Then circle “F” for Federalist or “AF” for Anti-Federalist next to each quote. Then try to guess who is the speaker of each quote.

- F      A-F      **1.** “I do not conceive we can exist long as a nation without having...a power which will pervade the whole Union....”
- F      A-F      **2.** “The State Declarations of Rights are not repealed by this Constitution; and being in force are sufficient.”
- F      A-F      **3.** “The laws of the general government being paramount to the laws and constitutions of the several states, the Declaration of Rights in the separate states are no security.”
- F      A-F      **4.** “The vigor of government is essential to the security of liberty.”
- F      A-F      **5.** “...State Legislatures have no security for the powers now presumed to remain to them, or the People for their Rights.”
- F      A-F      **6.** “There is no Declaration of any kind for preserving the Liberty of the Press, the Trial by Jury in civil Causes; nor against the Danger of standing Armies in time of Peace...”
- F      A-F      **7.** “Repeated violations of these parchment barriers have been committed by overbearing majorities in every State.”
- F      A-F      **8.** “A bill of rights is what the people are entitled to against every government on earth, general or particular, and what no just government should refuse or rest on inference.”

**1.** “I do not conceive we can exist long as a nation without having lodged somewhere a power, which will pervade the whole union in as energetic a manner as the authority of the state governments extends over the several states.”

**2.** “The State Declarations of Rights are not repealed by this Constitution; and being in force are sufficient.”



**3.** “The laws of the general government being paramount to the laws and constitutions of the several states, the Declaration of Rights in the separate states are no security.”

**4.** “The vigor of government is essential to the security of liberty.”

**5.** “State legislatures have no security for the powers now presumed to remain to them, or the people for their rights.”

**6.** “There is no declaration of any kind for preserving the liberty of the press, the trial by jury in civil causes; nor against the danger of standing armies in time of Peace...”

**7.** “Repeated violations of these parchment barriers have been committed by overbearing majorities in every state.”

**8.** “A bill of rights is what the people are entitled to against every government on Earth, general or particular, and what no just government should refuse or rest on inference.”

## ***Teacher Notes***