



## Lesson 6.6 “Protected Rights”

### Unit 6: Establishing Government

#### Lesson Objectives

- Students will create a class mind map showing what rights they think all humans are entitled to.
- Students will examine what life would be like with our rights protected and our rights unprotected.
- Students will create a Venn diagram comparing the protections provided by the U.S. Bill of Rights and the N.H. Bill of Rights.
- Students will discuss whether there are limits to our protected rights.

#### Lesson Competencies

- I can initiate and sustain a focused discussion. (ELA 7)
- I can identify, explain, and analyze the core civic virtues and foundational principles that guide governments and communities. (Moose SS)
- I can develop my ideas using sources to gather concrete details, facts, quotes, and other information related to my focus. (ELA 5)
- I can interpret and use information delivered orally or visually and respond by asking relevant questions, summarizing key points, or elaborating on ideas. (ELA 7)

#### Essential Questions

How has New Hampshire come to be the way it is?

#### Focus Questions

What are the foundational principles of our government?

#### Estimated Time

Three 40-minute class sessions

#### Materials & Equipment

“Mind Map: What Rights Should People Have?” for projection or printing  
 “Ratification of the U.S. Constitution” notes for projection  
 “Bill of Rights” infographic for projection or printing  
 Class set of “What Our Rights Look Like” worksheet  
 Class set of “Our Protected Rights” worksheet and for projection  
 Class set of “Venn diagram: Bills of Rights” worksheet



## Educator Introduction & Rationale

The addition of the Bill of Rights to the U.S. Constitution as a separate document may surprise some students since concepts like “freedom of speech” and “right to remain silent” are core to our American identity. Whether to include a bill of rights to preserve individual and state liberties and curtail the power of the federal government was part of the debate over ratification of the Constitution from the start, but the first 10 amendments to the Constitution were ratified separately from the document that created the government of the United States. Once ratified, they protected individual liberties, the rights of the accused, and guarded against too much federal power over the states and the people. Please see the Educator Overview for more information.

This is the sixth lesson in Unit 6: Establishing Government. Although this lesson can be completed without other lessons from the unit, students will be able to engage more fully in this lesson if they have completed lesson 6.1: “Our Constitutions” and 6.5: “Should We Ratify?” In this lesson, students examine which rights the Bill of Rights protects and how it looks if rights are protected and unprotected.

In part one of the lesson, students create a class mind map by brainstorming to what rights they think all humans are entitled. After reviewing the background of ratification and the addition of the first 10 amendments, the class discusses an infographic that gives an overview of the Bill of Rights. Students then individually or in small groups investigate a specific right and consider what it means to protect this right as well as what might happen if the right was not protected. After discussion of the small group work, part two of the lesson compares the protections provided by the first 10 amendments of the U.S. Constitution and those provided by the N.H. Constitution. The lesson concludes with a return to the class mind map and a discussion of whether our rights have limits.

There is a reinforcement activity that more fully explores First Amendment freedoms. Three extension activities investigate the addition of the freedom of speech to the N.H. Constitution in 1968, the right to a civics education, and the freedom of conscience. Please adapt all the material in this lesson, as necessary, to meet the needs of the students in your classroom. Please note, lesson vocabulary and definitions are at the end of the document. You may wish to preview these with your students.

# Learning Activity

## PART I: The U.S. Bill of Rights

### Actuation

**Defining “right.”** Discuss with the class: What is a right? Tell them you are looking for a definition that is a noun, not an adjective (i.e., the opposite of left or correct).

**Right:** (noun) A privilege someone is supposed to have

What rights do students think everyone should have? As they offer suggestions, create a large class mind map. Inform students that rights can be positive (something you have a right to) or negative (something you have a right to be free from).

Once you have exhausted ideas of rights everyone should have, guide the discussion to these questions:

- How do we get rights?
- Are we born with them?
- Who makes sure we have our rights?

In general, Western culture believes:

- We are born with unalienable rights, which are rights that cannot be denied or taken away
- They are sometimes called human rights today
- We are all responsible for protecting human rights
- The governments of nations and of the world are the ones who should legally protect our rights

### Direct Instruction

**Ratification of the Constitution.** Discuss with students the background to the Bill of Rights, using the provided notes if desired. The key ideas are that:

- Although the Constitution was eventually ratified by all 13 states, there was a lot of debate about it. It was not a foregone conclusion that it would become law.
- The biggest problem that critics of the Constitution had was about the power of the federal or central government.
- They thought it had too much power and that it would grow to take power away from the people and the states.

**Teaching tip:** If your class completed lesson 6.5: “Should We Ratify?” which covers the ratification debate over the Constitution, then shorten this information for students.



**Direct  
Instruction &  
Guided Practice**

**What is the Bill of Rights?** Share with students that the First Congress thought that certain rights of the American people needed to be formally protected. Project “The Bill of Rights” infographic and review with students. Help them understand that while the Constitution explains what the government can and should do, the Bill of Rights says what the government cannot do.

To investigate what these rights mean and look like in our world today, put students in small groups and distribute “What Our Rights Look Like.” Select for your class which students should work on which amendments, as some are more challenging. Also decide whether your class will examine all the amendments or focus on a few. You will need to select and assign rights to the various groups based on what works for your class.

Give groups time to examine their rights and discuss what it looks like with and without those protections. Once all groups have finished, select how you will review ideas.

- Groups present their drawings or skits one at a time.
- Create a mini-exhibit of drawings and a presentation of skits for students to view.
- Gather well-labeled drawings and group into “what it looks like with rights protected” and “what it looks like with rights not protected” so that two pictures of the world emerge.
- Create a “Bill of Rights” collage and have groups add in their most compelling ideas either showing protected rights or unprotected rights.

**Discussion**

**Most important rights.** Once ideas have been reviewed, consider as a class the following questions:

- Which rights do you think are the most important? Why?
- Why do we need to list these rights in the Bill of Rights?
- Are there any rights you would add?

**Teaching tip:** If you will not complete Part II: Comparing the U.S. and N.H. Bill of Rights, then move to Reflection.



## Part II: Comparing the U.S. and N.H. Bill of Rights

**Guided Practice**    **Venn diagram for the bills of rights.** Project or distribute the chart “Our Protected Rights.” Even though students will be completing a Venn diagram on the information, give them a few minutes to examine the source as it is text-heavy and possibly overwhelming. Spend a few minutes asking students what they observe about the chart. What boxes have a lot of text? Which are empty? What is the chart about? Encourage simple observations and questions before moving on to conclusions. Once students have a level of comfort with the source, put students in small groups and distribute the blank Venn diagram. Give students time to complete it while circulating to support learning. When done, either discuss the reflection questions or have students complete them independently before reviewing the Venn diagram as a class.

**Reflection & Discussion**    **Our protected rights.** Return to the mind map from the Activation and consider which rights are protected by the U.S. Bill of Rights and which rights are protected by the N.H. Bill of Rights. Circle the ones that are protected, either in one color or two different colors. How many of the rights that students think should be protected are protected? Which ones are not? Why do they think that is?

Complete the lesson by asking students whether they think the two bills of rights give citizens the freedom to do anything they want. Are there limits to the freedoms listed as rights?

**Possible outcome:**

- Students may recognize that although our freedoms are protected, there are limits.
- We do not have the right to hurt other people or another’s property.
- For instance, if the exercise of the freedom of speech hurts someone else or creates a situation that breaks a law, we cannot do it. The Supreme Court said that while we can say hurtful things to people, we cannot encourage lawless actions and say something that makes lawless actions start (*Brandenburg v. Ohio*, 1969).
- An example of this would be if someone organized people to rob a bank. If they made plans, gave the robbers supplies, and told them when to rob the bank, but then did not go themselves, they are still responsible.
- Another example is that while citizens have the right to gather and protest, they cannot threaten public safety.

Consider having students work together to respond in writing with supportive details to answer the question.

## Reinforcement

1. **First Amendment freedoms.** The First Amendment to the U.S. Constitution lists five freedoms which, together, are called the freedoms of expression. Why is this? Use the worksheet “The Freedom of Expression” to explore this idea with students.

## Extension

1. **Is the freedom of speech necessary?** Students may have noticed that the 1784 N.H. Bill of Rights did not include the freedom of speech. In 1968, the N.H. legislature changed that. Give students the “Adding in the Freedom of Speech” worksheet to consider this decision.
2. **Right to civics education.** The right to an education falls under state laws in the United States. All children in the United States have the right to an education through 12th grade, and specifically have the right to an equal education. But do they have the right to education in a specific subject, like civics? Students in Rhode Island sued the state, saying that they had not been prepared properly in civics. Read one of the linked articles and discuss with students:
  - How does the article show civics education is at risk in schools today?
  - What is civics education?
  - Why did the students bring the lawsuit against the state of Rhode Island? Do you think they were right?
  - What was the outcome of the case? Do you agree?
  - One civics professor said “Clearly, education is not written into the Constitution.” But, she explained, students can’t be equal members of a democratic society without being taught the knowledge and skills necessary to be a citizen. What do you think should happen now in Rhode Island?

Find a longer article here:

[www.washingtonpost.com/education/2020/10/22/federal-judge-rules-students-have-no-constitutional-right-civics-education-warns-that-american-democracy-is-peril/](http://www.washingtonpost.com/education/2020/10/22/federal-judge-rules-students-have-no-constitutional-right-civics-education-warns-that-american-democracy-is-peril/)

Or a shorter one here: [www.cnn.com/2018/12/01/us/civics-class-action-lawsuit-rhode-island](http://www.cnn.com/2018/12/01/us/civics-class-action-lawsuit-rhode-island)

3. **Freedom of conscience.** The N.H. Bill of Rights gives people in New Hampshire the right of conscience in Part First, Article 4. This means that people in New Hampshire have the freedom to do what they think is morally right in a situation. Consider an historical example of the right of conscience and then make a personal connection to it in the “Right of Conscience” worksheet. Note that this activity requires some knowledge of the Revolutionary War.



## Supporting Materials

- *The Bill of Rights: A Transcription*, National Archives, [www.archives.gov/founding-docs/bill-of-rights-transcript](http://www.archives.gov/founding-docs/bill-of-rights-transcript)
- Otis Hammond, *The Tories of New Hampshire* (1917), Eleazer Russell letter to Meshech Weare.
- N.H. General Court, Joint Committee on Legislative Facilities, Voters' Guide to Proposed Amendments to Constitution of the State of New Hampshire, 1968.
- Lorenca Consuelo Rosal, *The Liberty Key: The Story of the New Hampshire Constitution* (1986). Inspiration for "The Right of Conscience" worksheet.
- *State Constitution—Bill of Rights*. NH.gov, NH at-a-glance, [www.nh.gov/glance/bill-of-rights.htm](http://www.nh.gov/glance/bill-of-rights.htm)

Civics101 has excellent podcast episodes on a variety of Bill of Rights topics as well as instructional materials, [www.civics101podcast.org/](http://www.civics101podcast.org/)

Visit the United Nations website to view the text of the Universal Declaration of Human Rights, a document written in 1948 to establish to which rights the organization believed all humans were entitled, [www.un.org/en/universal-declaration-human-rights/](http://www.un.org/en/universal-declaration-human-rights/)

iCivics.org requires a free account to access their resources, but their games and lesson plans are thorough and helpful. Generally middle and high school-aged materials, [www.icivics.org/curriculum/constitution](http://www.icivics.org/curriculum/constitution)

The Annenberg Classroom has an excellent lesson for upper grades on the freedom of assembly and petition with quotes and ideas elementary students can access. "Freedom of Assembly: The Right to Protest," [www.annenbergclassroom.org/resource/freedom-of-assembly-the-right-to-protest/](http://www.annenbergclassroom.org/resource/freedom-of-assembly-the-right-to-protest/)



## Standards

### “Moose on the Loose” Content:

- ✓ Students will understand that after the revolution, the United States of America established a federal government; colonies established state governments. They will understand that the New Hampshire State Constitution established the basic structure of government for the state and created laws to protect the people and interests of the state. (3-5.T3.2)

### “Moose on the Loose” Skills:

- ✓ Communicating and Critiquing Conclusions (3-5.S2.1)
- ✓ Effective Historical Thinking (3-5.S3.1, 3-5.S3.2)
- ✓ Understanding and Participating in Government (3-5.S6.1, 3-5.S6.2)

### New Hampshire Social Studies Frameworks:

- ✓ Civics and Governments: The Nature and Purpose of Government (SS:CV:4:1.1, SS:CV:4:1.2)
- ✓ Civics and Governments: Rights and Responsibilities (SS:CV:4:4.1)
- ✓ US / NH History: Political Foundations and Development (SS:HI:4:1.2)

### NCSS Themes:

- ✓ Theme 5: Individuals, Groups, and Institutions
- ✓ Theme 6: Power, Authority, and Governance
- ✓ Theme 10: Civic Ideals and Practices

### C3 Frameworks:

- ✓ Construction Compelling Questions (D1.2.3-5)
- ✓ Constructing Supporting Questions (D1.3.3-5)
- ✓ Civic and Political Institutions (D2.Civ.3.3-5, D2.Civ.4.3-5, D2.Civ.5.3-5)
- ✓ Participation and Deliberation (D2.Civ.8.3-5, D2.Civ.10.3-5)
- ✓ Processes, Rules, and Laws (D2.Civ.12.3-5, D2.Civ.14.3-5)
- ✓ Perspectives (D2.His.6.3-5)
- ✓ Causation and Argumentation (D2.His.17.3-5)
- ✓ Communicating Conclusions (D4.1.3-5)

### Common Core ELA:

- ✓ Craft and Structure in Informational Text (RI.4.4, RI.4.5)
- ✓ Integration of Knowledge and Ideas in Informational Text (RI.4.7)
- ✓ Range of Reading and Level of Text Complexity in Informational Text (RI.4.10)
- ✓ Comprehension and Collaboration in Speaking and Listening (SL.4.1, SL.4.2)
- ✓ Vocabulary Acquisition and Use (L.4.4)



## Lesson Vocabulary

<b>amend</b>	(verb) To revise or change
<b>amendment</b>	(noun) An addition to an existing document; in the U.S. Constitution, the amendments come after the original document
<b>bill of rights</b>	(noun) A document that contains a list of freedoms to protect; in the U.S. Constitution, the Bill of Rights is the first 10 amendments
<b>conscience</b>	(noun) An inner feeling that helps a person know whether their actions or intentions are morally right or wrong
<b>constitution</b>	(noun) A document laying out the rules for how a government will work
<b>federal</b>	(adjective) The central government of a group of states; the U.S. federal government is in Washington, D.C.
<b>government</b>	(noun) A group of people that have the power to make and carry out laws for a community
<b>liberty</b>	(noun) The freedom to exercise your rights in a community
<b>persuade</b>	(verb) To cause something to happen through asking, giving reasons, or arguing
<b>ratify</b>	(verb) To make legal by signing or giving permission
<b>social contract</b>	(noun) An agreement between people and their government to give up some rights in exchange for security and law and order