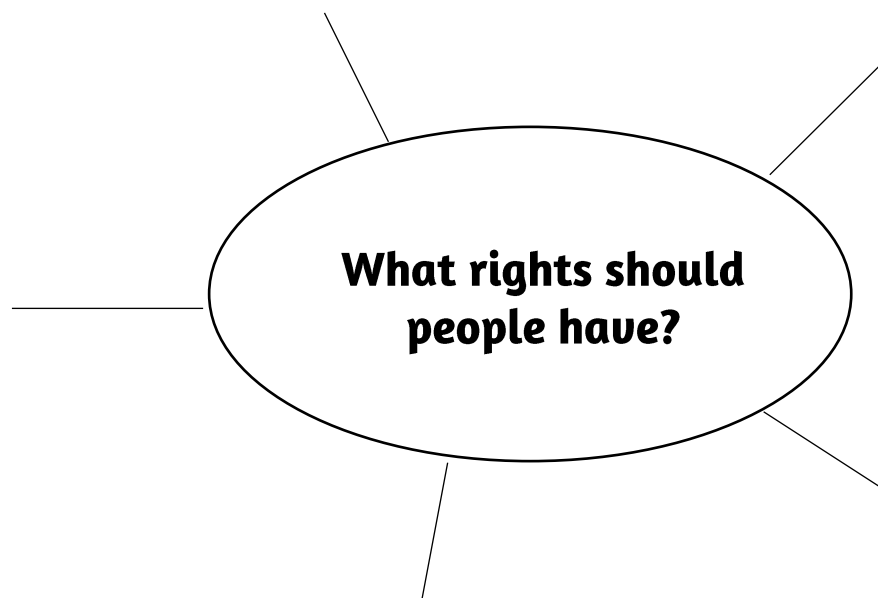




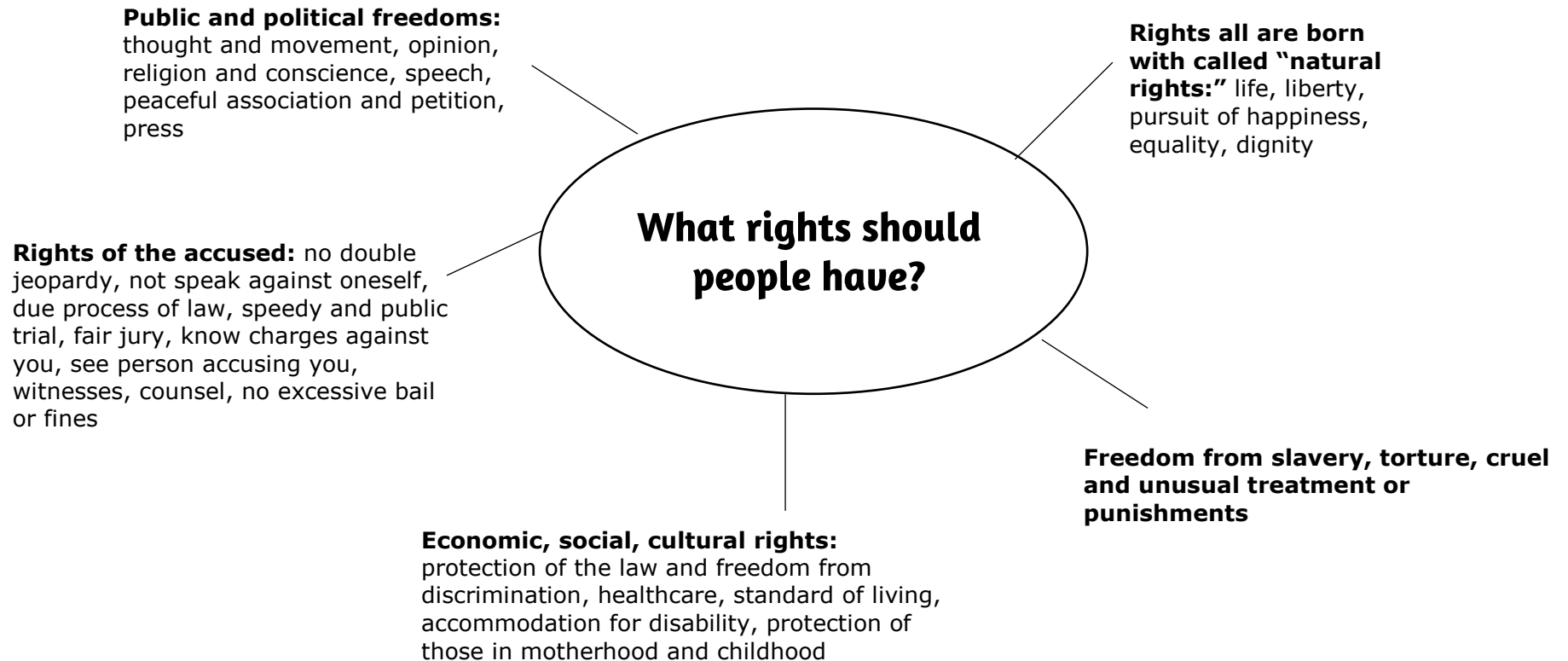
Name \_\_\_\_\_

## Rights Mind Map





## Rights Mind Map





## Ratification of the U.S. Constitution

**ratify:** (verb) To make legal by signing or giving permission

**constitution:** (noun) A document laying out the rules for how a government will work

- There was more than one year of debate throughout the states about whether to make the U.S. Constitution legal
- Some people thought it was a good document that created a strong, fair government
- Some people thought it gave the federal government too much power
- Some were also afraid it would take power away from the people and the states since there was nothing in it about their rights
- Some states ratified the Constitution only if a bill of rights was added to it
- A **bill of rights** is a list of rights for the people that the government must protect
- The First Congress met in March 1789, and the Bill of Rights was proposed at this meeting
- Ten amendments, called the Bill of Rights, were added to the Constitution on December 15, 1791
- These 10 amendments protected the rights of the people and the states against the federal government



# THE BILL OF RIGHTS

When all the states were talking about whether or not to ratify the U.S. Constitution, a lot of people were upset that it didn't include a list of rights. The framers promised to fix that problem after the Constitution was adopted — and they did! The first 10 amendments to the Constitution were passed in 1791. They're called the Bill of Rights, and they describe the most basic rights guaranteed to all people in America.

Amendments 1 to 4 protect people's individual liberties. These are things that every person has a right to do and that the government can't control. The only limit on these rights is that they can't be used to take away anyone else's rights.

Amendments 5 to 8 protect the rights of people who are accused of crimes and people who are convicted of crimes. These rights help to make sure that everyone is treated fairly by the government and that they have a chance to defend themselves.

Amendments 9 and 10 protect people from what can happen if the government gets too powerful.

**1<sup>st</sup>**

The First Amendment guarantees freedom of speech, freedom of religion, freedom of the press, freedom to assemble, and freedom to protest.

**2<sup>nd</sup>**

The Second Amendment guarantees the right to keep a militia and the right to bear arms.

**3<sup>rd</sup>**

The Third Amendment makes it illegal to force people to let soldiers live in their homes without their permission.

**4<sup>th</sup>**

The Fourth Amendment protects people from the government unreasonably searching them, or unreasonably searching or taking their property.

**5<sup>th</sup>**

The Fifth Amendment says people have a right to due process, can only be put on trial once for a crime, and don't have to speak against themselves.

**6<sup>th</sup>**

The Sixth Amendment gives people the right to a speedy and public trial with a fair jury, to their own lawyer, and to know who is accusing them of what.

**7<sup>th</sup>**

The Seventh Amendment allows people to have a trial by jury in cases where nobody committed a crime but people have a disagreement.

**8<sup>th</sup>**

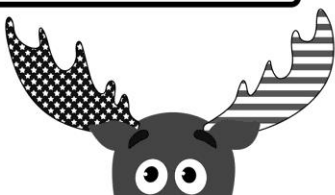
The Eighth Amendment forbids cruel and unusual punishment, and says that people can't be given excessive bail or fines.

**9<sup>th</sup>**

The Ninth Amendment says that the rights of people aren't limited to just the ones listed specifically in the Constitution.

**10<sup>th</sup>**

The Tenth Amendment gives states the power to make decisions about everything except what the Constitution gives to the federal government.





Name \_\_\_\_\_

## What Our Rights Look Like

Which protected right are you investigating?	Which amendment is it from?
<p>What happens in people and communities when this right is protected? What does it look like? Give four examples.</p> <ol style="list-style-type: none"><li>1.</li><li>2.</li><li>3.</li><li>4.</li></ol>	<p>What happens in people and communities when this right is <b>not</b> protected? What does it look like? Give four examples.</p> <ol style="list-style-type: none"><li>1.</li><li>2.</li><li>3.</li><li>4.</li></ol>



Lesson 6.6: Protected Rights



Choose one example or more than one and draw what it looks like **to protect this right**. Or, you can write a short skit showing an example of protecting of this right.

Choose one example or more than one and draw what it looks like **when this right is not protected**. Or, you can write a short skit showing an example of when this right is not protected.

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## Our Protected Rights

Protected Rights Listed in Both Documents	U.S. Constitution Bill of Rights (Amendments 1–10)	N.H. Constitution Part First: Bill of Rights, 1784
<p><b>Right to individual liberties, including:</b></p> <ul style="list-style-type: none"> <li>• Freedom of religion, of the press</li> <li>• Not to house soldiers in peacetime</li> <li>• Not to have property searched without cause</li> </ul>	<p><b>Also included:</b></p> <ul style="list-style-type: none"> <li>• Freedom of speech, of gathering, of petition</li> <li>• Bear arms</li> </ul>	<p><b>Also included:</b></p> <ul style="list-style-type: none"> <li>• To have freedom do to what you think is right and not participate in war</li> </ul>
<p><b>Rights of people accused and convicted of crimes, including:</b></p> <ul style="list-style-type: none"> <li>• Rights to protection of law, fair and speedy trial, not speaking against yourself</li> <li>• No cruel punishments</li> </ul>		
<p><b>Right of people to be protected against too much government power:</b></p>	<p><b>Including:</b></p> <ul style="list-style-type: none"> <li>• Right to other rights even if not listed in the Constitution</li> <li>• Right to all rights for people and the states not given to the federal government</li> </ul>	<p><b>Including:</b></p> <ul style="list-style-type: none"> <li>• State’s people can govern themselves; right to all rights not given to U.S. Congress</li> <li>• Right to state armed forces</li> <li>• Right to well-run government offices that are open to people</li> <li>• Right to revolution</li> <li>• Right to vote</li> </ul>
<p><b>About the source and reason for government:</b></p>	<p><b>Not included</b></p>	<p><b>Including:</b></p> <ul style="list-style-type: none"> <li>• Right to government that works for the good of all that everyone agrees to be a part of</li> <li>• Right to protection in exchange for giving up some rights</li> <li>• Right to have person and property protected</li> </ul>

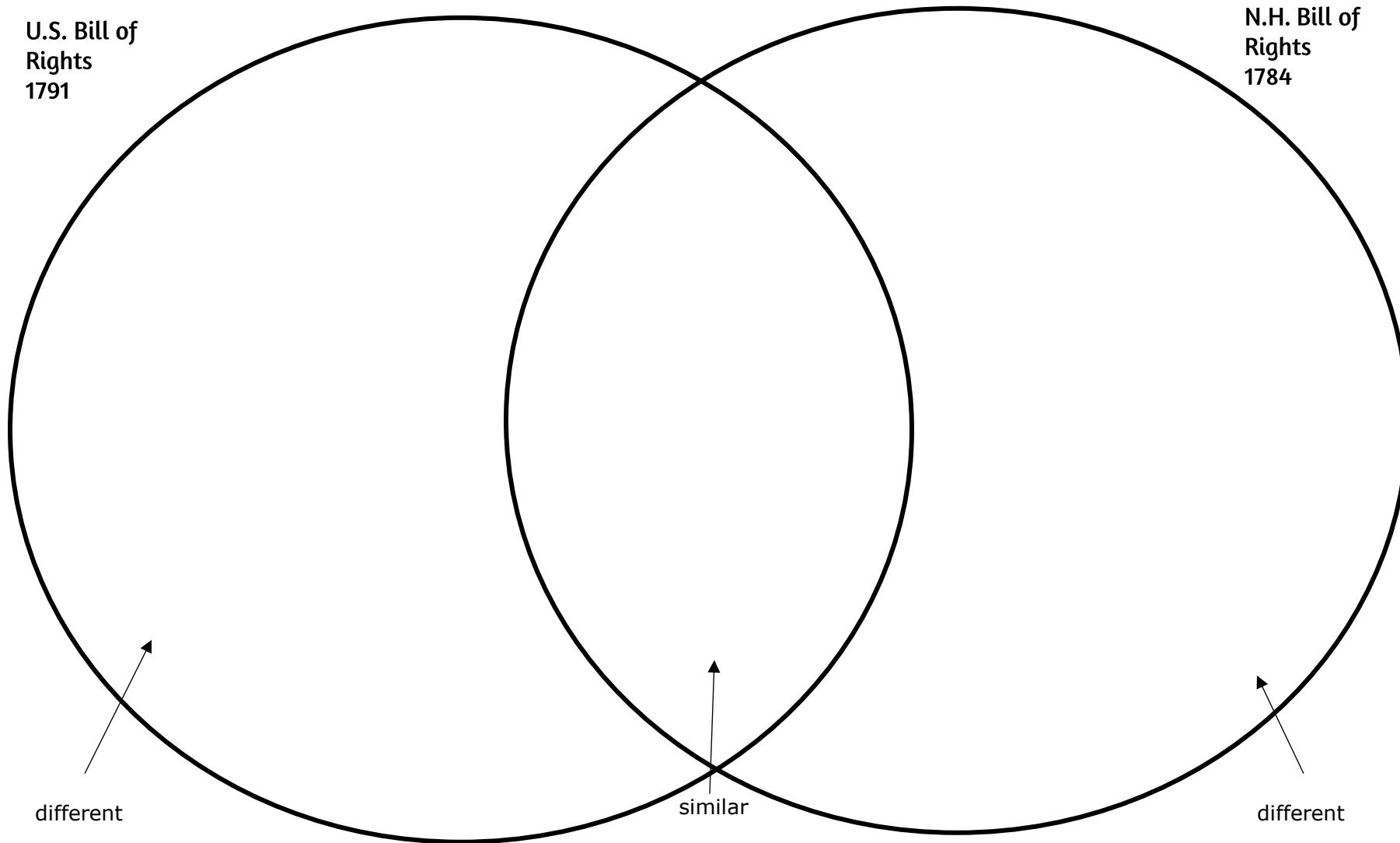


Name \_\_\_\_\_

### Venn diagram: Bills of Rights

U.S. Bill of Rights  
1791

N.H. Bill of Rights  
1784







Lesson 6.6: Protected Rights

**Reflection**

1. What's similar in the rights protected at state and federal levels? Why do you think that is?

2. What's different about what the state protects and what the federal government protects? Why do you think that is?





Name \_\_\_\_\_ Answer Key \_\_\_\_\_

### Venn diagram: Bills of Rights

**United States  
Bill of Rights  
1791**

**New Hampshire  
Bill of Rights  
1784**

Freedom of speech

Keep and bear arms

Protects people from too much government power by keeping rights for people and states if they are not listed in constitution for federal government

Bill of Rights section added in after Constitution was complete; written later in 1791

Right to do what you think is right and not go to war

Protects people from too much government power in a few ways including right to vote and to revolution

Section on source and reason for government including right to have person and property protected and have a government that works for the good of all

Bill of Rights section appears first in the NH Constitution; written earlier in 1784

Both have some rights to individual liberties (freedom of religion, of the press)

Rights of people accused and convicted of crimes

Both protect people against too much government power

different

similar

different



Lesson 6.6: Protected Rights

## Reflection

1. What's similar in the rights protected at state and federal levels? Why do you think that is?

**Both the bills of rights protect general rights of people, like the freedom to religion and the freedom of the press. They also both protect people who have been accused of crimes and against too much government power. I think these things were protected by the federal government and by the state government because they were important to the founders. They had just fought the Revolutionary War to get independence from Great Britain and these were the things they were worried about. The king had too much power and they perhaps felt that they had been accused and not treated fairly by the English government.**

2. What's different about what the state protects and what the federal government protects? Why do you think that is?

**The state protects more against the federal government, like having the right to revolution against the leaders and the right to vote to make sure the people would be heard. They also include that they have the right to a government that works for the good of everyone and protect their person and property. It also seems like they were protecting the people because there is the right to do what you think is correct and not go to war if you don't want to. It seems like the state of New Hampshire was making sure the people in the state would be protected against the federal government having too much power, so that there are really two bills of rights protecting people here. The U.S. Bill of Rights is also protecting the people, but they are less specific about how they are protecting their rights; they just say that whatever is not listed in the Constitution is for the people.**



Lesson 6.6: Protected Rights

Name \_\_\_\_\_

## The First Amendments: the Freedoms of Expression

The first amendment to the United States lists five freedoms that are important to protect good government. Next to each freedom, draw a picture or describe a scene where expression of that freedom would be important for people.

Freedom to  
Gather  
Together

Freedom of  
Religion

Freedom of  
the Press

Freedom of  
Speech

Freedom to  
Protest and  
Ask for Help  
from the  
Government

**Bonus:** Why are these freedoms necessary for good government?



Name \_\_\_\_\_

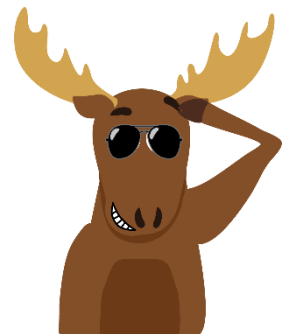
## Adding in Freedom of Speech

The original N.H. Bill of Rights did not include the freedom of speech, likely because the writers thought it was implied as a right that people had in the new nation. However, in 1968, the N.H. legislature added it to the N.H. Constitution. They explained their reasoning this way:

Now, at the present time, the state constitution's Bill of Rights guarantees freedom of the press; but due to an historic error of omission made in 1783, the right of the individual citizen to freedom of speech was left out. The Fourteenth Amendment to the U.S. Constitution now protects the right of New Hampshire citizens to exercise freedom of speech. However, as a matter of our state's self-respect and good constitutional law, we should not be dependent on the federal government for the protection of this basic personal liberty.

N.H. General Court, Voters' Guide to Proposed Amendments to Constitution of the State of New Hampshire, 1968.

1. What did the state's Bill of Rights already protect before 1968? Is this the same as the freedom of speech? Why or why not?
2. How was the freedom of speech protected in New Hampshire before 1968?
3. Why did the N.H. legislature add in the freedom of speech in 1968?
4. Do you agree with them? Why or why not?





Name \_\_\_\_\_ Answer Key \_\_\_\_\_

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N.H. General Court. Voters' Guide to Proposed Amendments to Constitution of the State of New Hampshire, 1968.

1. What did the state's Bill of Rights already protect before 1968? Is this the same as the freedom of speech? Why or why not?  
**The state's Bill of Rights already protected the freedom of the press before 1968. I don't think this is the same as the freedom of speech, although it is similar. The freedom of the press is a newspaper reporter being able to write the truth about the government in a news story, but the freedom of speech is everyone being able to say the truth.**
2. How was the freedom of speech protected in New Hampshire before 1968?  
**It was protected by the fourteenth amendment to the U.S. Constitution. I think it was also protected by the first amendment too, which says all have the freedom of speech.**
3. Why did the New Hampshire legislature add in the freedom of speech in 1968?  
**It says they added in the freedom of speech because the people of New Hampshire should not be dependent upon the federal government for this basic personal liberty.**
4. Do you agree with them? Why or why not?  
**I think that it is good to have the freedom of speech protected as much as possible, although I do think it was probably enough to have it in the U.S. Bill of Rights. But if anyone ever wondered if New Hampshire cared about the freedom of speech, now they know we do!**



Name \_\_\_\_\_

## The Right of Conscience

As the Revolutionary War began, leaders of the colonies wanted to ensure they had the support of the people. They sent documents to towns requesting that nearly all men over the age of 21 sign a loyalty oath. If you signed the loyalty oath, you were promising to do whatever you could to defend the patriot cause. If you refused to sign, your name was added to a list of possible loyalists or people who supported England. It was also possible you would be punished or your land taken away.

In New Hampshire, a man named Eleazer Russell refused to sign the loyalty oath. He believed in the revolution and did not support England, but he did not think he could bring himself to fight in a war. He wrote the leader of New Hampshire, Meshech Weare, to explain why he could not sign the oath.

I was unwilling to sign the loyalty oath because I wanted to protect the principles of my mind. My physical and mental health are such that I could not do one-hour of military duty to save my life. I do not support the British and in fact think that uncivilized people are more innocent than the British. Since Great Britain first injured America, I have blamed them and supported the revolution without hesitation. I challenge all mankind to accuse me of not loving my country; it will never be true.

Eleazer Russell to Meshech Weare, Aug 17, 1776.  
This quote has been edited to make it easier to read.

Although others who refused to sign the oath were jailed or beaten, Eleazer Russell continued to be respected by his neighbors and government when he refused to sign. He was the postmaster and naval tax collector of Portsmouth for more than two decades afterwards.

Because of situations like Eleazer Russell's, when the leaders of New Hampshire wrote the N.H. Bill of Rights in 1784, they included the right of conscience. This means that people in New Hampshire have the freedom to do what they think is morally right in a situation.

Consider the historical example of the right of conscience and what it can mean today. Answer the questions on the back.







Name \_\_\_\_\_ Answer Key \_\_\_\_\_

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Consider the historical example of the right of conscience and what it can mean today. Answer the questions on the back.



Lesson 6.6: Protected Rights

**Reflect**

1. Do you think Eleazer Russell was right to refuse to sign the loyalty oath? What would you have done in his place?

**I think he was right not to sign the loyalty oath. If he signed it, he was promising to do something he knew he wouldn't do—go fight in war. It must have been hard since he supported the war, but he would have been lying if he signed it.**

2. Why do you think Eleazer Russell continued to be respected by his community even though he did not sign the loyalty oath?

**Maybe he continued to be respected because they knew him and they knew why he didn't sign? He explained it in the letter to Mr. Weare. It seems like it was important to him to explain himself. Also, if he explained himself, the leaders of the community could then still support him, and they might get everyone else to support him too.**

3. Think of a time you listened to your conscience. What was the situation? What were your options? What did your conscience tell you to do? What did you actually do? What happened in the end? Consider:
  - a time you had to keep a promise because it was the right thing to do
  - a time you had to break a promise because it was the right thing to do
  - a time you had to stand up for someone else
  - a time you were scared or nervous to do the right thing

**Answers will vary.**



## Appendix: Full list of protected rights by category in U.S. Bill of Rights and N.H. Constitution, Part First

U.S. Constitution Bill of Rights (Amendments 1–10)	N.H. Constitution Part First: Bill of Rights, 1784
<p><b>Right to individual liberties</b></p> <ul style="list-style-type: none"> <li>• Freedom of speech (1st)</li> <li>• Freedom of religion (1st)</li> <li>• Freedom of the press (1st)</li> <li>• Freedom to assemble (1st)</li> <li>• Freedom to petition (1st)</li> <li>• Keep militia and bear arms (2nd)</li> <li>• Not to house soldiers in peacetime (3rd)</li> <li>• Not to have property unreasonably searched (4th)</li> </ul>	<p><b>Right to individual liberties</b></p> <ul style="list-style-type: none"> <li>• Right to natural rights (2)</li> <li>• Right to conscience unalienable (4)</li> <li>• Freedom of religion (5)</li> <li>• Right to conscientious objection (13)</li> <li>• Not to have property unreasonably searched (19)</li> <li>• Freedom of press (22)</li> <li>• Not to house soldiers in peacetime (27)</li> </ul>
<p><b>Rights of people accused of crimes and people convicted of crimes</b></p> <ul style="list-style-type: none"> <li>• Will be put on trial only once for a crime (5th)</li> <li>• Not to speak against oneself (5th)</li> <li>• Right to due process of law (5th)</li> <li>• Right to be paid if property is taken (5th)</li> <li>• Right to speedy and public trial (6th)</li> <li>• Right to fair jury (6th)</li> <li>• Right to know charges against you (6th)</li> <li>• Right to see person accusing you (6th)</li> <li>• Right to witnesses (6th)</li> <li>• Right to counsel (6th)</li> <li>• Right to trial by jury (7th)</li> <li>• No excessive bail or fines (8th)</li> <li>• No cruel and unusual punishments (8th)</li> </ul>	<p><b>Rights of people accused of crimes and people convicted of crimes</b></p> <ul style="list-style-type: none"> <li>• Right to free, quick justice (14)</li> <li>• Rights of accused (know charges, face accuser, right to counsel, not speak against oneself, right to protection of law) (15)</li> <li>• No double jeopardy, jury trial in capital cases (16)</li> <li>• Right to fair location of trial (17)</li> <li>• Right to fair, reasonable punishment (18)</li> <li>• Right to trial by jury (20)</li> <li>• Right to qualified, compensated jury (21)</li> <li>• No retroactive laws (23)</li> <li>• No excessive bail or fines, not cruel or unusual punishments (33)</li> </ul>
<p><b>Right of people to be protected against too much government power</b></p> <ul style="list-style-type: none"> <li>• Right to other rights even if not listed in the Constitution (9th)</li> <li>• Right to all rights for people and the states not specifically given to the federal government (10th)</li> </ul>	<p><b>Right of people to be protected against too much government power</b></p> <ul style="list-style-type: none"> <li>• Religious organizations have equal protections; no one has to pay towards religious schools (6)</li> <li>• State people can govern themselves; right to all rights not given to U.S. Congress (7)</li> <li>• Government offices are accountable to people, must be</li> </ul>



Lesson 6.5: Protected Rights

		<p>accessible, right to orderly, well-run offices, taxes money well spent (8)</p> <ul style="list-style-type: none"><li>• No government offices can be handed down within a family (9)</li><li>• Right to revolution (10)</li><li>• Right to vote (11)</li><li>• Right to state militia (24)</li><li>• No standing army without legislature consent (25)</li><li>• Military always governed by civilian power (26)</li><li>• Taxes only imposed by legislature (28)</li><li>• Suspending laws only by legislature (29)</li><li>• Freedom of deliberation, speech, debate for legislators in NH congress (31)</li><li>• Legislature must meet to make laws (32)</li><li>• No martial law except set by legislature (34)</li><li>• Right to impartial judges (35)</li><li>• Pensions given by state for actual work and one year at a time (36)</li><li>• Right to separation of powers (37)</li><li>• Right to have people and lawgivers who follow good principles (38)</li></ul>
		<p><b>Origin and Object of Government</b></p> <ul style="list-style-type: none"><li>• Right to government for general good, founded in consent, originating from the people (1)</li><li>• Right to protection in exchange for giving up some rights to government (3)</li><li>• Right to have person and property protected by government, participate in taxes (12)</li></ul>