

**THEME:** The United States Constitution

**TOPIC:** Drafting the United States Constitution / 1<sup>st</sup> Amendment

**PREPARATION / PROPS:** Copy of the United States Constitution, a copy of your State Constitution, Decorate with religious symbols, newspapers, rally notices, a poster of the Bill of Rights

**LESSON: Drafting the US Constitution.** The Constitution is the highest law in the United States. All other laws come from the Constitution. It says how the government works. It creates the Presidency. It creates the Congress. It creates the Supreme Court. Each state also has a constitution. The constitutions of the states are their highest law for that state — but the United States Constitution is higher.

The Constitution was written in 1787. Yes, it is over 200 years old. We actually have old copies of what was created. The master copies are stored at the National Archives in Washington D.C.

From May to September 1787 a group of men known as the Framers met. The Framers talked about what should be in the Constitution. The United States was a brand new country and had a government that did not work very well. The Framers met to find a new way of running the country. This meeting was called the Constitutional Convention. Some of the Framers are famous to us today. They include James Madison, Ben Franklin, and George Washington.

At that time there were only 13 states. The men came from all the states except Rhode Island. Each state had ideas for the new government. The Framers had many debates. They talked a lot. They make a lot of speeches. By talking about it, they came up with a plan that everyone could agree with. They had to have a lot of compromises. Only by agreeing could all the arguments be worked out. Ben Franklin said the he was not sure if the plan was perfect. He said that it was probably as perfect as it could be.

After the Convention, the Constitution had to be approved. Actually, only nine states had to agree to, or ratify, the Constitution. But everyone wanted all 13 states to agree. Two states took a long time to decide to agree. These states were Rhode Island and North Carolina. In the end, they did agree. Once the first nine states agreed, we say the Constitution was "ratified." New Hampshire was the ninth state to ratify the Constitution.

**The First Amendment.** When the Constitution was written, the Framers knew their creation was not perfect. They knew that other people would have good ideas for the Constitution. They wanted to be sure that it wasn't too hard to make changes. They also wanted to be sure that it wasn't too easy. The Framers added an amendment process. An amendment to the Constitution is a change that can add to the Constitution or change an older part.



Originally, some people did not want to ratify the Constitution. One big reason was that it did not have a bill of rights. A bill of rights is a list of rights that belong to the people. The government is not allowed to break these rights. Some of these rights might sound familiar: the right of free speech; the right to practice your own religion; the right to be silent if you are arrested.

The original Constitution had no bill of rights. Many of the Framers did not think it was needed. But many people wanted one. So, promises were made to add one, using the amendment process.

Soon, the new government started meeting. Congress proposed the Bill of Rights. A list of twelve changes was sent to the states. In 1791, ten of those changes were agreed to by the states. The ten changes were added to the Constitution. These ten changes are called the "Bill of Rights." The Bill of Rights was passed because some people were afraid that the government would have too much power. They were afraid that some important things could be made illegal. They wanted to be sure to keep those things legal.

The first amendment says that 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.

For example, you can say whatever you want about the President. You can say that you don't like his hair. You can say you don't like his voice. You can say you don't like the war in Iraq. You can say you don't like his tax ideas. It seems normal to us to be able to say these things. We can criticize the President. We can criticize a member of Congress. We can criticize a mayor. We can say what things they do that we don't like. This is only possible because of the Right of Free Speech. The Bill of Rights protects Free Speech.

Imagine if there was no right to free speech. A law could be passed that says that if you criticize the President's hair, you can spend a day in jail. Or worse, criticizing the President's taxes can get you a year in jail. These are the kinds of laws that the Framers were afraid of. The Bill of Rights protects us from such laws. We cannot be put in jail because of our opinions.



The Bill of Rights protects a lot of other freedoms. For example, you can believe in any religion you want. The government cannot force you to believe in something. You cannot be forced to house soldiers in your home. The police cannot come into your home without a good reason. The police may not take your papers without a reason. The police cannot force you to testify against yourself in court. In fact, the police cannot force you to tell them anything at all. This is called the "right to remain silent". And you cannot be given unusual punishments. You cannot be given twenty years in jail for speeding. And you can gather together with anyone you want, whenever you want, as long as you do it peacefully.

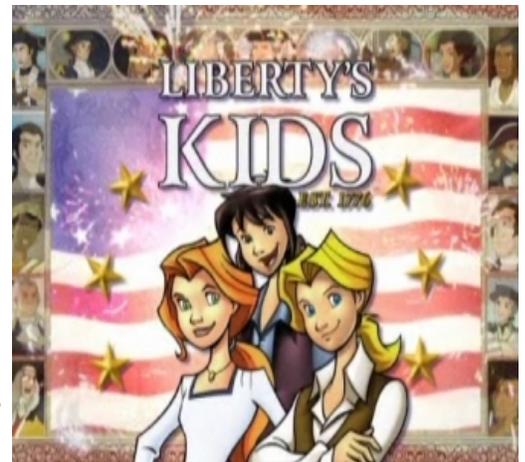
## DISCUSSION POINTS:

- We have old copies of the original Constitution in the National Archives. Do you think it is important to keep those old papers? Why or why not? These are original sources. Do you or your family have any original source documents of your own? (birth certificates, baptismal certificates, marriage licenses, etc.)
- It took about four months for the framers to write the Constitution. Do you think that is a long time or a short time? Why was it important to have all of those speeches and discussions? What are some things you think they may have disagreed on? How do you work out differences with your family and friends?
- The first amendment promises not to make any laws to establish a national religion, and promises not to make any laws that prohibit the free exercise of religion. Has the government kept these promises? Give some examples.
- The first amendment also protects free speech. What might happen if people were not allowed to voice their opinions or disagree with the government?

## ACTIVITY: Liberty's Kids Episode #40 "We the People"

**Materials:** Liberty's Kids DVD, DVD player or laptop, extension cord

**Method:** Play episode #40 or a portion of it. This episode is about America's leaders meeting at a convention in Philadelphia and deciding to write a radical new Constitution. Two teenage reporters cover the events of the Revolutionary War for Ben Franklin's newspaper, The Philadelphia Gazette. James, an American colonist, brings the rebels' point of view to life while Sarah, a young Englishwoman stranded by fate in America, gives us the British viewpoint in her letters to her mother back in London. Meanwhile, in Paris, Ben Franklin creates strong diplomatic bonds with France, America's first and staunchest ally.



Caught on opposite sides of the hostilities, Ben's teenage reporters confront the real, physical dangers of the conflict, forced to choose between their friendship and their countries, their understanding of good and evil, and the moral dilemmas of war. All the while trying to look after mischievous Henri, an immigrant French boy whose comical escapades constantly lead to trouble, as they bear witness to the high points of the American revolution.

**ACTIVITY:** Discussion and Examples of the First Amendment

**Materials:** Religious symbols, newspaper, poster advertising your Patriot Club

**Method:** Engage the kids in a discussion relating to the First Amendment using the props as talking points, giving examples, and asking for examples.

**REFERENCES:** <http://www.usconstitution.net/constkids4.html>, Amazon.com, Liberty's Kids DVDs