

Inventing America Episode 3
Liberty for All: The Untold Story of the Bill of Rights
Lesson Guide Middle School

National History Standards

3A The student understands the issues involved in the creation and ratification of the United States Constitution and the new government it established.

- Compare the arguments of the Federalists and Anti-Federalists during the ratification debates and assess their relevance in late 20th-century politics.

3B The student understands the guarantees of the Bill of Rights and its continuing significance.

- Evaluate the arguments over the necessity of a Bill of Rights and explain Madison's role in securing its adoption by the First Congress.
- Analyze the significance of the Bill of Rights and its specific guarantees.
- Analyze issues addressed in recent court cases involving the Bill of Rights to assess their continuing significance today

Common Core State Standards

- CCSS.ELA-LITERACY.RH.6-8.2- Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge or opinions.
- CCSS.ELA-LITERACY.RH.6-8.4- Determine the meaning of words and phrases as they are used in a text, including vocabulary specific to domains related to history/social studies.
- CCSS.ELA-LITERACY.RH.6-8.6- Identify aspects of a text that reveal an author's point of view or purpose (e.g., loaded language, inclusion or avoidance of particular facts).

The Learner will...

1. Compare and contrast the Federalists and Anti-federalists and describe their viewpoints of the Constitution
2. Evaluate the arguments over the necessity of the Bill of Rights
3. Analyze the Bill of Rights and apply them to today

Vocabulary:

- Litigating
- House of Burgesses
- Federalist
- Anti-Federalist
- Infringe

- Militia
- Quartered
- Inauguration
- Magna Carta
- English Bill of Rights
- Parliament

Materials:

1. Inventing America Episode 3: Liberty for All: The Untold Story of the Bill of Rights
2. Episode 3 Activities Handout
3. Complaints of the Constitution Anticipatory Set Activity/Exit Ticket

Extension Activity:

- The Bill of Rights and Supreme Court Cases

Discussion Questions:

1. What were the main arguments for adding a Bill of Rights? What were the arguments against it?
2. Who would you say was most responsible for the addition of a Bill of Rights to the Constitution? Why?
3. What does the Bill of Rights show us about what the founding fathers valued in 1791?
4. Do any of these rights seem not applicable to today? Why?
5. What new amendments would you propose today? Why?
6. The moderator stated, “of the four-and-a-half thousand words of the U.S. Constitution, the most hotly debated are the 462 that comprise the first ten amendments.” Why do you think the Bill of Rights are the most debated in our society today?

Works Cited:

<https://founders.archives.gov/documents/Jefferson/01-12-02-0454>

<https://teachingamericanhistory.org/resources/fed-antifed/issues-debated/>

Procedure:

1. **Anticipatory Set:** Distribute the Complaints of the Constitution handout to students. Remind students that the Constitution incorporated many different

compromises and there were many people who had concerns with the document. Thomas Jefferson was not at the Constitutional Convention and he was one of the people with lots of frustrations. Have the students read the letter written by Thomas Jefferson to James Madison. Students should answer the questions about the letter. Go over students' responses once completed.

2. **Objectives and Vocabulary:** Go over the learning objectives for the day with the students and explain that the students will hear interviews with Thomas Jefferson, James Madison, Alexander Hamilton, and Patrick Henry.
3. Define the following vocabulary which the students will hear throughout the video:
 - a. Litigating
 - b. House of Burgesses
 - c. Federalist
 - d. Anti-Federalist
 - e. Infringe
 - f. Militia
 - g. Quartered
 - h. Inauguration
 - i. Magna Carta
 - j. English Bill of Rights
 - k. Parliament
4. **Viewing the Video:** The teacher can choose to show the video in full or show the video clips. This guide will break the video up into three parts and provide questions that go with each section.
5. Play first video clip: 0-21:40. This section introduces students to the Bill of Rights and the debate surrounding its addition to the Constitution.
6. As students view the video they should answer the following questions on their handout:
 - a. According to Patrick Henry, why did he not attend the Constitutional Convention and opposed the Constitution?
 - b. Why did Hamilton and Henry never meet in person?
 - c. What was the Federalist movement? What was the Anti-federalist movement?
 - d. If Hamilton did not like the final draft of the Constitution, why did he support it?
 - e. What was the single most divisive issue with the Constitution?
 - f. Hamilton, Madison, and John Jay wrote a series of essays titled the Federalist papers. What were some of the things they said in these essays?
 - g. What event pushed Jefferson to argue for a Bill of Rights to be added to the US Constitution?
 - h. What were some of the influences on the United States Bill of Rights?

7. After viewing this section of the video, discuss the above questions and check for student understanding.
8. Play the second video clip:21:40-48:40. This section has people from the audience ask the founding fathers various questions about the Bill of Rights. This is a longer section that may need to be paused throughout for clarification. As students view the video they should answer the following questions on their handout:
 - a. Question- Are there times when First Amendment guarantees of freedom of speech and freedom of assembly go too far?
 - b. Question- Since militias, well-regulated or otherwise, are no longer necessary to the security of a free state, isn't that amendment obsolete?
 - c. Question- Mr. Hamilton, you said you objected to the Bill of Rights because such guarantees were already inherent in the Constitution. Why not spell them out?
 - d. Question- In two of our last five presidential elections the popular vote winner lost because of the Electoral College. What was your intention when you created the Electoral College? And given the results of our last presidential election, did it fulfill your intention?
9. After viewing this section of the video, discuss the above questions and check for student understanding.
10. Play the third video clip: 48:40-End. This section has Patrick Henry deliver his famous "Give me liberty--or give me death" speech. After the video has been played, students should go back and read the speech on their activities handout and answer the following questions on Activity 2.
 - a. Why might this speech have inspired so Americans to unite to fight against the British? Use specific pieces of evidence to defend your answer.
 - b. How does this speech anticipate the ideas found within the Bill of Rights written 16 years later?
11. After viewing this section of the video, discuss the above questions and check for student understanding.
12. **Reflection and Critical Thinking:** Ask students to reflect on the video and discuss the following questions:
 - a. What were the main arguments for adding a Bill of Rights? What were the arguments against it?
 - b. Who would you say was most responsible for the addition of a Bill of Rights to the Constitution? Why?
 - c. Do any of these rights seem not applicable today? Why?
 - d. What new amendments would you propose today? Why?

- e. The moderator stated, “of the four-and-a-half thousand words of the U.S. Constitution, the most hotly debated are the 462 that comprise the first ten amendments.” Why do you think the Bill of Rights are the most debated in our society today?
13. Direct students’ attention to Activities 3 and 4 on their Inventing America guide. Be sure to model Activity 4 on the board with students.
 14. **Assessment of Learning:** Have students refer back to their Anticipatory Set activity. Students should write a response to Thomas Jefferson’s letter. As James Madison, students should explain to Thomas Jefferson why his concerns about the Constitution are no longer valid. How did the Bill of Rights resolve a lot of concerns with the Constitution?

Extension Activity: In Inventing America: Liberty for All, the moderator stated, “of the four-and-half-thousand words of the U.S. Constitution, the most hotly debated are the 462 that comprise the first ten amendments, the Bill of Rights.” In this activity, students will research a recent Supreme Court case that dealt with one of the Bill of Rights. Students can either use the Bill of Rights Institute website or a different source to research a case. Students should fill out the worksheet to outline their findings.