

Shaping the Constitution

RESOURCES FROM THE LIBRARY OF VIRGINIA AND THE LIBRARY OF CONGRESS

Lesson Plan: Virginia and the U.S. Bill of Rights

Primary Source(s):

[U.S. Bill of Rights](#)

[Virginia Ratifying Convention Journal](#)

[Virginia Declaration of Rights](#)

Standards Addressed:

Virginia Standards of Learning:

VS.6 The student will demonstrate knowledge of the role of Virginia in the establishment of the new American nation by

(b) identifying the ideas of George Mason and Thomas Jefferson as expressed in the Virginia Declaration of Rights and the Virginia Statute for Religious Freedom.

USI.7 The student will demonstrate knowledge of the challenges faced by the new nation by

(b) describing the historical development of the Constitution of the United States.

VUS.1 The student will demonstrate skills for historical and geographical analysis and responsible citizenship, including the ability to

(h) interpret the significance of excerpts from famous speeches and other documents.

VUS.5 The student will demonstrate knowledge of the issues involved in the creation and ratification of the Constitution of the United States and how the principles of limited government, the consent of the governed, and the social contract are embodied in it by

(a) explaining the origins of the Constitution, including the Articles of Confederation;

(b) identifying the major compromises necessary to produce the Constitution, and the roles of James Madison;

(d) assessing the arguments of Federalists and Anti-Federalists during the ratification debates and their relevance to political debate today.

CE.2 The student will demonstrate knowledge of the foundations of American constitutional government by

(b) explaining the significance of the charters of the Virginia Company of London, the Virginia Declaration of Rights, the Declaration of Independence, the Articles of Confederation, the Virginia Statute for Religious Freedom, and the Constitution of the United States, including the Bill of Rights.

CE.3 The student will demonstrate knowledge of citizenship and the rights, duties, and responsibilities of citizens by

(b) describing the First Amendment freedoms of religion, speech, press, assembly, and petition, and the rights guaranteed by due process and equal protection of the laws.

CE.6 The student will demonstrate knowledge of the American constitutional government at the national level by

(a) describing the structure and powers of the national government;

(b) explaining the principle of separation of powers and the operation of checks and balances;

(c) explaining and/or simulating the lawmaking process;

(d) describing the roles and powers of the executive branch.

National History Standards:

3B (Grades 7–12) Evaluate the arguments over the necessity of a Bill of Rights and explain Madison's role in securing its adoption by the First Congress.

Understanding Goal:

Virginians played a central role in defining our rights as citizens of the United States.

Investigative Question:

Why did Virginia and other states ask for amendments to the Constitution? How reflective is the U.S. Bill of Rights of the concerns voiced by George Mason and others from the Virginia Ratifying Convention? What rights are guaranteed to Americans?

Overview:

Investigate the amendment process and the creation of the U.S. Bill of Rights through primary source examination. Foster an understanding of the rights afforded each American citizen by the U.S.. Bill of Rights.

Student Performance Tasks:

Students will:

- Compare the Virginia Declaration of Rights with the recommendations from the Virginia Ratifying Convention Journal and the U.S. Bill of Rights.
- Determine how successful the Anti-Federalists were in changing the Constitution.
- Analyze some of the antecedents of the Bill of Rights and other documents that shaped the government of the United States.
- Identify freedoms afforded by the Bill of Rights.
- Explain how the government protects individual rights.
- Analyze the importance of freedom of the press.
- Use their freedom of petition.

Length of Activity:

2 class periods

Materials Needed (available from the *Shaping the Constitution* Web site):

- [George Mason Biography](#)
- [James Madison Biography](#)
- [Excerpts from the Virginia Ratifying Debates—Bill of Rights](#) (Item #6 in the PDF package; page 4)
- [Virginia Declaration of Rights](#)
- [Virginia Ratifying Convention Journal](#)
- [U.S. Bill of Rights](#)
- Worksheet: “Tracking the History of Our Rights”
- Worksheet: “Protected or Not: Considering the U.S. Bill of Rights”

Pre-Activity Exploration:

Day 1:

1. Have students read the biographies of George Mason and James Madison from the [Shaping the Constitution Web portal](#). Also have the students read the excerpts from the Virginia Ratifying Debates—Bill of Rights.
2. Review the amendment process discussed in Article V of the [Constitution](#).

Day 2:

1. Review the Bill of Rights.

Background:

The Constitution of the United States as submitted to the state conventions had no bill of rights comparable to the Virginia Declaration of Rights. Among Virginia's delegates to the Constitutional Convention of 1787 that drafted the Constitution, George Mason, the author of the Virginia Declaration of Rights, objected most strenuously about the omission of a bill of rights; and at the Virginia ratifying convention in June 1788 he and Patrick Henry were the strongest opponents of the Constitution, in part because it contained no bill of rights to protect the essential liberties of Virginians from the new and stronger national government. The Virginia delegates, like those in many other states, submitted a list of suggested amendments and proposed rights to be protected along with their ratification of the new plan of government.

The opposition to ratification eventually persuaded James Madison, the principal author of the Constitution, that the addition of a bill of rights to the Constitution would calm the fears of the Constitution's opponents and secure the rights that he, too, believed were essential for all Americans.

Teacher Actions – Day 1:

1. Introduce and have students examine the Virginia Declaration of Rights. Without providing them with very much information, allow the students to examine the document and answer as many basic questions as possible. What is it? When was it created? If students are slowed significantly by the handwriting, introduce the transcription of the document. Ask which of the suggested rights sounds familiar to them.
2. Begin a discussion of the document, revealing the historical origins. Explain that Mason's draft was altered and expanded by the other members of the committee; introduce the final version of the Virginia Declaration of Rights that was adopted in 1776. Discuss the differences between Mason's draft and the final version of that document.
3. Next, present the class with copies of the arguments over the Bill of Rights made during the Virginia Ratifying Convention of 1788. As a class, consider the following questions:
 - What are the similarities between the two documents?
 - What are the differences?
 - What were the concerns expressed by the Virginia Ratifying Convention?
 - How do these proposed amendments reflect on the American colonists' experiences under the British system?
 - Why did a minority of the Convention members desire to have amendments attached before agreeing upon ratification?
 - On what conditions did the Convention agree to ratify the Constitution?
 - To what extent are the proposed amendments either stated or implied in the Constitution?
4. As a class, read the U.S. Bill of Rights. Compare the Virginia Declaration of Rights (use the final version), Virginia's proposed bill of rights from the Virginia Ratifying Convention Journal, and the Bill of Rights that was ratified in 1791.
5. Wrap-Up Activity or Homework: "Tracking the History of Our Rights" (Worksheet). Have students use the worksheet included in order to track the development between related protections. (Teacher's Note: The "Tracking the History of Our Rights Chart," included as a part of this lesson, can be used as a quick reference sheet for this activity.)

Tracking the History of Our Rights (Answer Key)

1. Clauses from Va. Declaration of Rights: 12, 16
Clauses from Va. Ratifying Convention: 15, 16, 20
2. Clauses from Va. Declaration of Rights: 13
Clauses from Va. Ratifying Convention: 17, 19
3. Clauses from Va. Declaration of Rights: N/A
Clauses from Va. Ratifying Convention: 18
4. Clauses from Va. Declaration of Rights: 10
Clauses from Va. Ratifying Convention: 14
5. Clauses from Va. Declaration of Rights: 8
Clauses from Va. Ratifying Convention: 9
6. Clauses from Va. Declaration of Rights: 8
Clauses from Va. Ratifying Convention: 8, 12
7. Clauses from Va. Declaration of Rights: 11
Clauses from Va. Ratifying Convention: 11
8. Clauses from Va. Declaration of Rights: 9
Clauses from Va. Ratifying Convention: 13

Teacher Actions – Day 2:

1. Review the worksheet “Tracking the History of Our Rights” with students. Were they surprised by their findings? Point out the fact that nearly all of the items on the sheet were provided for in the Virginia Declaration of Rights. Why didn’t Virginia ban the quartering of troops? This question will lead to a discussion of the different experiences of the thirteen colonies in dealing with the British.
2. Building on what they have learned about the origins of the U.S. Bill of Rights, have students work in groups to complete the second worksheet, “Protected or Not.” Review the directions with the entire class before asking them to begin.
3. As a class, discuss worksheet answers, calling on members of each group to share their responses with the class. Be sure to clarify any disagreements between groups.
4. Wrap-Up Activity or Homework: Have students write down two or three of the freedoms they think are most valuable to them as citizens of the United States, with explanations as to why these are important and valuable. Provide students an opportunity to begin the assignment in class so you can answer any questions they have as they get started.

For Further Reading/Understanding:

Bodenhamer, David J., and James W. Ely, Jr., eds. *The Bill of Rights in Modern America: After 200 Years*. Bloomington: Indiana University Press, 1993.

Bowling, Kenneth R. "A Tub to the Whale': The Founding Fathers and Adoption of the Federal Bill of Rights." *Journal of the Early Republic* 8 (1988): 223–251.

Briceland, Alan V. “Virginia: The Cement of the Union.” In *The Constitution and the States: The Role of the Original Thirteen in the Framing and Adoption of the Federal Constitution*. Edited by Patrick T. Conley and John P. Kaminski, 201–337. Madison, Wis.: Madison House, 1988.

Broadwater, Jeff. *George Mason: Forgotten Founder*. Chapel Hill: University of North Carolina Press, 2006.

Conley, Patrick T., and John P. Kaminski, eds. *The Bill of Rights and the States: The Colonial and Revolutionary Origins of American Liberties*. Madison, Wis.: Madison House, 1992.

Conley, Patrick T., and John P. Kaminski, eds. *The Constitution and the States: The Role of the Original Thirteen in the Framing and Adoption of the Federal Constitution*. Madison, Wis.: Madison House, 1988.

Jensen, Merrill, ed. *The Documentary History of the Ratification of the Constitution*. 22 vols. to date. Madison: State Historical Society of Wisconsin, 1976– .

Kukla, Jon. "A Spectrum of Sentiments: Virginia's Federalists, Antifederalists, and 'Federalists Who Are for Amendments,' 1787–1788." *Virginia Magazine of History and Biography* 96 (July 1988): 276–296.

Kukla, Jon, ed. *The Bill of Rights: A Lively Heritage*. Richmond: Virginia State Library and Archives, 1987.

Tarter, Brent. "George Mason and the Conservation of Liberty." *Virginia Magazine of History and Biography* 99, no. 3 (July 1991): 279–304.

Veit, Helen E., Kenneth R. Bowling, and Charlene Bangs Bickford, eds. *Creating the Bill of Rights: The Documentary Record from the First Federal Congress*. Baltimore: Johns Hopkins University Press, 1991.