



## **The Invaders: A Constitutional Rights Activity**

**OVERVIEW:** The Invaders activity is designed to introduce participants to the rights guaranteed under the U. S. Constitution. Using a hypothetical scenario, participants evaluate the importance of rights. **The purpose of this lesson is to help students discover for themselves that *each* Constitutional right is valuable. For more information on the purpose of this and other Justice Teaching lessons, visit [www.justiceteaching.org](http://www.justiceteaching.org).**

### **OBJECTIVES:**

- Ⓒ Develop individual decision-making skills;
- Ⓒ Analyze and evaluate rights as listed in the U.S. Constitution;
- Ⓒ Develop consensus-building skills;
- Ⓒ Understand how our rights are interrelated; and Ⓒ Understand how the courts protect our rights.

**MATERIALS NEEDED:** Handouts A and B

**EQUIPMENT NEEDED:** Overhead Projector and Screen

**TIME REQUIRED:** Forty five minutes or several sessions depending on depth of coverage.

**SUNSHINE STATE STANDARDS:** Grade 5: Civics and Government

Standard 1 SS.5.C.1.2

SS.5.C.1.3

SS.5.C.1.5

Standard 3 SS.5.C.3.5

### **PROCEDURES:**

1. Ask students, "What is a right?" Have participants respond verbally.
2. Continue by asking students where our rights are listed and why we have them. (U.S. Constitution, Florida Constitution). Discuss with students the purposes of a Constitution and who the Constitution protects us from.
3. Ask participants, what the first 10 amendments to the U.S. Constitution are called. (Bill of Rights) Distribute copies. See Handout B.
4. Distribute Handout A. Review each right listed. These are some but not all of the Bill of Rights. Elicit discussion from participants about the meaning of each right and which amendment the right is listed in. Add to what the participants mention, bringing in historical and contemporary issues. Use a Socratic dialogue format. For one class period, spend 2 minutes or so on each right. Make sure students understand the limits on each right.



Emphasize examples that tie into students' ages. For instance, when discussing, ask students if they can say or write "anything they want?" Mention "My Space" and student postings on the internet. Engage students through the use of real life applications.

5. Create a scenario. This can vary by grade level. Tell participants that their lives are about to change. It is the year 2030 and they are living happy, productive lives. They turn on their televisions to hear a news report that our country is being invaded. The invaders feel we have too many rights in this country that we don't even appreciate or understand. They are demanding that we decide which rights we will give up.
6. Using Handout A, each participant must select 5 rights they want to keep by checking off the blank next to the right. If they choose not to do this task, the invaders will select the rights to keep. Instruct participants to make their own individual decisions, and not to discuss with others.
7. Next, put participants in groups of five and have each group come to a consensus as a group on which 5 rights they would keep. Each group will make a decision for the entire country. Give the participants 10-15 minutes to reach their decision. Provide one sheet (Handout A) for each group to enter their decisions on.
8. Have a spokesperson from each group come to the front of the room to report on their group's decision. The teacher or resource person should tally responses on an overhead.
9. Debrief to balance out the importance of the rights, which were not selected. For example, if students chose freedom of speech but not assembly, let them know they will speaking to themselves because they can not assemble as a group, etc.
10. As time permits, discuss with participants how the courts protect our constitutional rights. Discuss current and historical cases before the U.S. and Florida Supreme courts. Determine the constitutional issues which are/were being reviewed. What role do the courts play in protecting our rights?

**NOTE:** The same activity can be done using the Florida Constitution.

**ATTACHMENTS:**

- Ⓒ Handout A – Our Rights
- Ⓒ Handout B – The Bill of Rights

Adapted from the Constitutional Rights Foundation Chicago publication *Working Together: We the People*

Facilitator Notes:

- Resource Materials for Facilitator/Resource Person.  
See lesson on Constitution Day for background on cases relating to each amendment. Vary the complexity of issues based on grade level.



- Purposes of the Constitution – make sure students understand the following:
  - \* Establishes the structure and function of government.
  - \* Provides for rights.
  - \* Limits the powers of government.

(Emphasize that the Constitution protects us from the government. It limits the power of government and establishes checks and balances as well as providing for individual rights.)



## Rights Under The U.S. Constitution

- \_\_\_\_\_ Freedom of speech
- \_\_\_\_\_ Right to bear arms
- \_\_\_\_\_ Right to legal counsel
- \_\_\_\_\_ Right to protection from cruel and unusual punishment
- \_\_\_\_\_ Freedom of press
- \_\_\_\_\_ Right to jury trial
- \_\_\_\_\_ Freedom of religion
- \_\_\_\_\_ Right to peaceably assemble
- \_\_\_\_\_ Protection from self-incrimination  
(testifying against oneself in a criminal trial)
- \_\_\_\_\_ Right to protection from unreasonable searches and seizures



## **Bill of Rights**

### **Amendment I.**

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 redress of grievances.

### **Amendment II.**

A well-regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

### **Amendment III.**

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

### **Amendment IV.**

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

### **Amendment V.**

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb, nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

### **Amendment VI.**

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed; which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense.

### **Amendment VII.**

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

### **Amendment VIII.**

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

### **Amendment IX.**

The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people.



**Amendment X.**

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people. Ratified December, 1791

**Handout B**