Rights in Action

Trace how constitutional protections are created and defended.

8.C.4.5 "Analyze the rights and liberties guaranteed to all citizens in the Bill of Rights. Explain the Constitutional amendment process, using the Bill of Rights as an example..."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline the two Virginia influences, circle the two steps that added the Bill of Rights to the Constitution, and number three protections Maya could claim. Use your marks to trace where rights came from and how they work.

A Search, a Trial, and the Law

1. Imagine a government that promises freedom but can silence a critic. After the Constitution was written, many Americans wanted written limits on federal power. James Madison drafted proposed amendments, drawing in part on the Virginia Declaration of Rights, which listed liberties such as freedom of the press. Virginia's Statute for Religious Freedom also helped shape the First Amendment's protection of religious liberty by rejecting government control over belief. Two-thirds of each house of Congress proposed amendments, and three-fourths of the states ratified ten in 1791. These first ten amendments became the Bill of Rights.

2. A state officer searches Maya's backpack without a lawful reason, then arrests her for a crime. The Fourth Amendment guards against unreasonable searches. If prosecutors bring charges, the Fifth Amendment protects Maya from being forced to testify against herself. The Sixth Amendment provides a speedy, public trial, a lawyer, and an impartial jury. These protections are part of due process, the rules government must follow before taking away liberty. They do not promise that Maya will win her case. They require the government to follow fair procedures.

3. The Bill of Rights originally limited the national government. Through the Fourteenth Amendment, courts have applied most of its protections to state and local governments too. If Maya challenges the search, an independent judge can review the officer's actions and decide whether the government obeyed the law. Independence matters because judges must be able to rule against powerful officials without fearing punishment for an unpopular decision. Under the rule of law, officials and ordinary people are accountable to the same law, and courts must apply its protections fairly to everyone.

2 ANSWER WITH EVIDENCE

Use the passage

1. How did Madison's work and the two Virginia documents help turn demands for liberty into constitutional protections?

2. Why could Maya challenge the search, and which protections would matter if her case went to trial?

3. Why can Maya use Bill of Rights protections against a state officer when those rights originally limited the national government?

4. How could an independent judge uphold the rule of law in Maya's case even if officials object?

3 YOUR TURN

Your own words

A city council fines a local newspaper for criticizing its decisions. In four or five sentences, explain which Bill of Rights liberty is at stake, how that protection reaches city officials, and how an independent court could uphold the rule of law.

ANSWER KEY

Rights in Action

GRADE 8 · 8.C.4.5

PART 1 · READ AND MARK

Underline the two Virginia influences, circle the two steps that added the Bill of Rights to the Constitution, and number three protections Maya could claim. Use your marks to trace where rights came from and how they work. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	How did Madison's work and the two Virginia documents help turn demands for liberty into constitutional protections?	**Madison drafted proposed amendments, drawing partly on the Virginia Declaration of Rights. The Virginia Statute for Religious Freedom helped shape the First Amendment's protection of religious liberty.**
2	Why could Maya challenge the search, and which protections would matter if her case went to trial?	**The Fourth Amendment guards against unreasonable searches, and the officer lacked a lawful reason. At trial, Maya could not be forced to testify against herself and would have a right to a speedy, public trial, a lawyer, and an impartial jury.**
3	Why can Maya use Bill of Rights protections against a state officer when those rights originally limited the national government?	**Through the Fourteenth Amendment, courts have applied most Bill of Rights protections to state and local governments.**
4	How could an independent judge uphold the rule of law in Maya's case even if officials object?	**The judge could review the search and rule against the officer if it broke the law. Judicial independence helps the court apply protections fairly, even when officials dislike the decision.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

The fine threatens the newspaper's First Amendment freedom of the press. Through the Fourteenth Amendment, that protection applies to city officials as well as the national government. An independent court could hear the newspaper's challenge and decide whether the fine violates that protection. If it does, the court could overturn the fine, showing that city leaders must obey the law too.

Accept answers that accurately connect the named rights to government actions. For the open task, students should explain that a court must judge the fine under the law, not assume every fine involving a newspaper is unconstitutional.