

ANSWER KEY

Unit 1: The Bill of Rights and the Founders

LESSON 1: WHAT ARE THE ORIGINS OF THE BILL OF RIGHTS?

Handout A: Rights Attitude Inventory

Answers will vary. Accept reasoned responses.

Handout B: Background Essay – What Are the Origins of the Bill of Rights?

1. At least three of the following: right of Protestants to practice their faith; protections of property; rights of the accused; rights of criminals.
2. As a result of his violation of the rights of Englishmen, King Charles I was beheaded in 1649.
3. Locke argued that government's main purpose must be to protect the rights of individuals because all men are by nature free and equal.
4. At least three of the following: forced quartering of troops; weapons were taken away; restrictions on speech, press, and assembly.
5. The Articles of Confederation were the first attempt of the former American colonies to organize a united government.

Handout C: Foundations of Our Rights

Magna Carta: 1st, 3rd, 4th, 5th, 6th, 8th

Petition of Right: 4th, 5th, 6th, 8th

Massachusetts Body of Liberties: 1st, 5th, 6th, 8th

Declaration of Right and Toleration Acts: 1st, 2nd, 4th, 5th, 6th, 8th

Rights violated in the colonies: All

Two Treatises of Government (1690):

Explains the concept of natural rights and the purposes of government—primarily to protect rights.

Declaration of Independence (1776): Explains why people must demand that government protect rights; announces and justifies formal separation of the colonies from Great Britain. United States Constitution (1787): Framework of system for providing a limited central government that would protect individual rights as well as preserving the powers of state and local government.

Handout D: Founding Documents and Philosophies

1. Both John Locke's *Two Treatises of Government* and the Declaration of Independence are explanations of why people should expect government to protect individual rights.
2. The Founders wrote the Constitution to provide a stronger central government than that provided under the Articles.
3. Each document reflected concern about the biggest abuses of its time period.
4. Answers will vary. Accept well-reasoned responses.

LESSON 2: WHY A BILL OF RIGHTS? WHAT IMPACT DOES IT HAVE?

Handout A: Background Essay – Why A Bill of Rights? What Impact Does It Have?

1. Federalists believed a bill of rights was unnecessary because the Constitution itself limited government's powers. They

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believed it could be dangerous because it would be impossible to list every right, and they did not want rights to be ignored or violated just because they were not specifically listed.

2. Madison changed his mind because he corresponded with colleagues whose opinions he valued, and they all supported the addition of a bill of rights.
3. The Bill of Rights did not strongly affect most citizens' lives because it only limited the actions of the federal government and did not apply to the states until after the Fourteenth Amendment was ratified in 1868. In the 1920s the Supreme Court began to interpret the Fourteenth Amendment's Due Process Clause to protect certain liberties from action by the states.

Handout B: Understanding Positions of Federalists and Anti-Federalists

Federalists:

- A bill of rights was not needed because the Constitution created a government of limited powers.
- Composing a list of rights might endanger any rights not listed.
- A strong central government is needed to protect rights of minorities.
- State constitutions already included declarations of rights.

Anti-Federalists:

- The central government could not be trusted—it might grow too strong and suppress freedoms.
- Several states (MA, SC, NH, VA, NY, NC) approved the new Constitution only on the condition that a list of rights be added.
- Popular opinion supported development of a bill of rights.

Handout C: Federalists and Anti-Federalists Venn Diagram

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Both Federalists and Anti-Federalists:

- The purpose of government is to protect unalienable rights (life, liberty, pursuit of happiness).
- Both central authority and some level of state authority was needed.
- A somewhat stronger form of government than that provided under the Articles of Confederation was needed.
- Certain Founding Principles were essential: separation of powers, checks and balances, federalism, rule of law, due process, limited government, majority rule/minority rights, popular sovereignty, and representative government.