

ASK ME WHAT'S GREAT ABOUT AMERICA

Material for grades 5-8

I. Introduction

- Ask students about the Bill of Rights
- What rights do they think it covers?
- How is it important in their daily lives?
- Estimated Time: about 5 minutes

II. Bill of Rights

- Go through the Bill of Rights
- Estimated time: 10-15 minutes

III. Space Colony Exercise

- Procedure sheet is included to give outline of the activity
- Discuss the scenarios (included) with the students.
- Divide the students into groups of three to four to complete the exercise. Give students 4-7 minutes to write responses.
- Have each group discuss their responses to the scenarios and offer questions about them to the class.
- Estimated time: 15-20 minutes

IV. Wrap-up Exercise

- Keep students in small groups (either the same or new ones).
- Have each small group create a short skit on how America would be different if we did not have the protections guaranteed in the Bill of Rights.
- Assign each group a different right or amendment.
- Briefly discuss each skit, and have the other groups identify which amendment applies.
- Estimated time: 10-15 minutes

Procedure:

- 1. Introduce the activity.** Tell the students that for the next activity, they will be acting as new citizens of a space colony in the year 2052 and they have all been elected to the Intergalactic Senate to consider adding a Bill of Rights to the basic Intergalactic Constitution. Display the introduction.
- 2. Break the students into small groups.** Each group represents a committee that will hear the “testimony” of a person who has had a run-in with the law in the space colony.
- 3. Give each committee one of the “Space Colony Situations.”** (See “Handouts” below) Instruct them to take a few minutes to read the situation, discuss what seems unfair or unjust about each situation, and determine what rights they would recommend including in the Bill of Rights to protect against similar unfairness in the future.
- 4. Ask each committee to present their situation and recommendations to the remainder of the Senate.** They can do this in the form of a very short skit depicting the situation, by merely reading the situation, etc . . . You can display each situation as the committee discusses it so the entire Senate can see. Discuss with them as they present their situations which rights of the U.S. Bill of Rights are implicated by each situation.

Situations:

1. Todd stole a piece of candy from a store. He is arrested and taken to jail, where the police sergeant decides that the punishment will be to cut off Todd's right index finger.

- Confirm that this would be a violation of the right to a speedy and public trial (5th and 6th Amendments), the right to an attorney (6th Amendment) and cruel and unusual punishment (8th Amendment).
- Suggest they may want to include a right requiring fair trial procedures and banning inhumane punishments.

2. The founders of the space colony have manufactured an army of robots, called "Terminators," to enforce the laws. The Terminators are programmed to seize any citizen suspected of committing a crime, and to take them to jail. Alice was shopping at the local Astro-Mart when she is suddenly seized by a Terminator and taken to jail. She has no idea what she is accused of or what she can do to be released from jail.

- Confirm that this raises concerns about unreasonable search and seizure (4th Amendment) and fair trial procedures (5th, 6th, and 8th Amendments).
- Ask if it is fair for the robots to arrest people who are only suspected of a crime. Ask if the robots are the right mechanism to make arrests, since they may not be capable of making reasoned judgments like police officers can. Suggest that they may want to include a right requiring fair procedures both before and after arrest.

3. Gary is a student at Polaris Middle School. He started a school newspaper to report about school events, the newest computer games, interesting web sites, and local

news. His first issue includes an article that is critical of some of school policies. Before the first issue even comes out, the principal tells him that school newspapers are not allowed and that all copies of the newspaper will be burned if he puts them out for the distribution.

- Confirm that this raises concerns about free speech and free press (1st Amendment).
- Explain that in the U.S., it has been held that school administration has editorial control over a school newspaper that is produced as part of a regular class. Hazelwood v. Kuhlmeier. However, educators must show that their actions in censoring or controlling the content of the paper are reasonably related to legitimate educational concerns. Note that in this situation, the principal is not allowing any type of paper.

4. Before she came to the space colony, Angel was a member of the Interplanetary Church of Pluto. When she comes to the space colony, however, she learns that the Plutonian Church has been outlawed and the space colony government tells her she must join the Intergalactic Church of Venus.

- Confirm that this is a violation of the First Amendment, protecting the free exercise of religion and prohibiting the establishment of religion by the government.
- Suggest they may want to include the right to worship freely in their Bill of Rights.

5. Roxanne files charges claiming that Lily punched her in the nose. A trial is set for a week later, but notice of the trial date is not sent to Lily until the morning of the trial. The notice is written in Saturnese, and Lily is a poor woman who never finished school. She cannot read Saturnese and she cannot afford a lawyer. She does not appear in court and the judge finds her guilty and orders her arrested.

- Confirm that in this case, the trial is too speedy, because Lily did not have time to prepare a defense, and that she was not really informed of the nature of the accusations against her, since she couldn't read the notice. She was also denied the assistance of a lawyer because she couldn't afford one, and was unable to face her accuser and subject her to questions (all 6th Amendment protections).
- Suggest that they may want to include rights to a fair trial process and to an attorney.

6. Steve works at the Intergalactic Art Museum with Carl, the son of the space colony's governor. Steve was accused of intentionally pulling a chair out from under Carl in the museum cafeteria, causing injury to Carl. Steve was tried for battery by a jury, which found him not guilty. However, the governor has instructed the judge to call Steve into court every week to answer the same charge of battery until Steve confesses to the crime.

- Confirm that this violates the right against double jeopardy and potentially the prohibition against forced confessions (5th Amendment).

- Suggest that they may want to include rights to a fair trial and against use of force (either physical force or force of “process” – repeated summons to court) in the treatment of the accused.

Handouts:

Give each committee one of the following situations to discuss.

SPACE COLONY SITUATION 1

Todd stole a piece of candy from a store. He is arrested and taken to jail, where the police sergeant decides that the punishment will be to cut off Todd's right index finger.

SPACE COLONY SITUATION 2

The founders of the space colony have manufactured an army of robots, called “Terminators,” to enforce the laws. The Terminators are programmed to seize any citizen suspected of committing a crime, and to take them to jail. Alice was shopping at the local Astro-Mart when she is suddenly seized by a Terminator and taken to jail. She has no idea what she is accused of or what she can do to be released from jail.

SPACE COLONY SITUATION 3

Gary is a student at Polaris Middle School. He started a school newspaper to report about school events, the newest computer games, interesting web sites, and local news. His first issue includes an article that is critical of some of school policies. Before the first issue even comes out, the principal tells him that school newspapers are not allowed and that all copies of the newspaper will be burned if he puts them out for the distribution.

SPACE COLONY SITUATION 4

Before she came to the space colony, Angel was a member of the Interplanetary Church of Pluto. When she comes to the space colony, however, she learns that the Plutonian Church has been outlawed and the space colony government tells her she must join the Intergalactic Church of Venus.

SPACE COLONY SITUATION 5

Roxanne files charges claiming that Lily punched her in the nose. A trial is set for a week later, but notice of the trial date is not sent to Lily until the morning of the trial. The notice is written in Saturnese, and Lily is a poor woman who never finished school. She cannot read Saturnese and she cannot afford a lawyer. She does not appear in court and the judge finds her guilty and orders her arrested.

SPACE COLONY SITUATION 6

Steve works at the Intergalactic Art Museum with Carl, the son of the space colony's governor. Steve was accused of intentionally pulling a chair out from under Carl in the museum cafeteria, causing injury to Carl. Steve was tried for battery by a jury, which found him not guilty. However, the governor has instructed the judge to call Steve into court every week to answer the same charge of battery until Steve confesses to the crime.

LIVING IN SPACE IN 2052

You are among the first group of citizens to live in new intergalactic space colony in the year 2052. The colony's founders have established a basic framework of laws, and you have all been elected to the colony's Intergalactic Legislature. You are now considering adding a Bill of Rights to the basic Intergalactic Constitution and have broken up into committees to consider the testimony of several people who have come to tell you about their experiences in the space colony. As you listen to their stories, consider if anything seems unfair or unjust in the situations they describe, and also consider what you might include in the Intergalactic Bill of Rights to protect people in the future from similar unfair situations.

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