

Curriculum Lesson Plan Developed for Teaching American History: A More Perfect Union
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Connections: the 1780 Massachusetts State Constitution’s Bill of Rights and the Federal Constitution’s Bill of Rights

The idea of “natural rights” has been connected with the idea of democratic, republican government since the time of the Roman Republic. Given the colonial experience of dealing with British “violations” of such rights, it is not surprising that the new United States of America wanted to codify such rights in its new governing documents. However the ten amendments to the federal Constitution known today as the Bill of Rights and generally accepted by Americans today as some of the most precious of our “natural rights” was not the first statement of such rights in a governing document, nor did these rights (being amendments) make it into the version of the federal Constitution originally ratified in 1788. What influenced the adoption of these amendments, this creation of a “Bill of Rights”? Many clamored for one, some states made their ratification contingent on the addition of one. Several states had already moved to guarantee certain rights in their own state constitutions. This lesson looks at the Massachusetts state constitution of 1780 (the oldest continually in effect written constitution) and its Declaration of Rights and compares it to the ten amendments that became the federal Bill of Rights. It seeks to put the idea of rights in context, provide some background on the Massachusetts constitution of 1780 and to give the students a chance to think critically about why certain rights were seen as important enough to state explicitly and codify while others were not.

Applicable Massachusetts State Curriculum Standards:

7. Show connections, causal and otherwise, between particular historical events and ideas and larger social, economic, and political trends and developments. (H, G, C, E)
8. Interpret the past within its own historical context rather than in terms of present-day norms and values. (H, E, C)
4. Interpret and construct charts and graphs that show quantitative information. (H, C, G, E)
5. Explain how a cause and effect relationship is different from a sequence or correlation of events. (H, C, E)

USG.1.9 Examine fundamental documents in the American political tradition to identify key ideas regarding limited government and individual rights.

Examples: Magna Carta (1215), Mayflower Compact (1620), Massachusetts Body of Liberties (1641), English Bill of Rights (1689), Locke’s Treatises of Civil Government (1690), Pennsylvania Charter of Privileges (1701), Virginia Declaration of Rights (1776), Declaration of Independence (1776), United States Constitution (1787), Bill of Rights (1791), and the Massachusetts Constitution of 1780

Students will identify and define ideas at the core of government and politics in the United States, interpret founding-era documents and events associated with the core ideas, and explain how commitment to these foundational ideas constitutes a common American history and civic identity. They will also analyze issues about the meaning and application of these core ideas to government, politics, and civic life, and demonstrate how citizens use these foundational ideas in civic and political life.

USG.2.1 Trace the colonial, revolutionary, and founding-era experiences and events that led to the writing, ratification, and implementation of the United States Constitution (1787) and Bill of Rights (1791).

USG.2.2 Analyze and interpret central ideas on government, individual rights, and the common good in founding documents of the United States.

Examples: The Virginia Declaration of Rights (1776), the Declaration of Independence (1776), the Massachusetts Constitution (1780), the Virginia Statute for Religious Freedom (1786), the Northwest Ordinance (1787), the United States Constitution (1787), selected Federalist Papers such as numbers 1, 9, 10, 39, 51, and 78 (1787–1788), the Bill of Rights (1791), President Washington’s Farewell Address (1796), and President Jefferson’s First Inaugural Address (1801)

USG.2.6 Define and provide examples of fundamental principles and values of American political and civic life, including liberty, the common good, justice, equality, tolerance, law and order, rights of individuals, diversity, civic unity, patriotism, constitutionalism, popular sovereignty, and representative democracy.

USG.2.8 Evaluate, take, and defend positions on issues concerning foundational ideas or values in tension or conflict.

Examples: Analyze issues involving liberty in conflict with equality, liberty in conflict with authority, individual rights in conflict with the common good, or majority rule in conflict with minority rights.

USG.2.10 Analyze and explain ideas about liberty, equality, and justice in American society using documents such as in Reverend Martin Luther King’s “I Have A Dream” speech and *Letter from Birmingham City Jail* (1963), and compare King’s ideas to those in such founding-era documents as the Virginia Declaration of Rights (1776), the Declaration of Independence (1776), Massachusetts Declaration of Rights (1780), and the Federalist Papers (1788)

Purposes, Principles, and Institutions of Government in the United States of America

Students will explain how purposes, principles, and institutions of government for the American people are established in the United States Constitution and reflected in the Massachusetts Constitution. They will also describe the structures and functions of American constitutional government at national, state, and local levels, and practice skills of citizenship in relationship to their constitutional government.

USG.3.11 Compare core documents associated with the protection of individual rights, including the Bill of Rights, the Fourteenth Amendment to the United States Constitution, and Article I of the Massachusetts Constitution.

Objectives:

1. Students will become more familiar with the Preamble and Part the First of the Massachusetts State Constitution of 1780.
2. Students will analyze the Mass. Declaration of Rights in terms of its guiding principles, its historical context and its relevance to today.
3. Students will evaluate the Mass. Declaration and the federal Bill of Rights by comparing and contrasting them.

Timeframe:

Two class periods

Procedure:

1. Establish historical context for the lesson. A powerpoint lecture/discussion is included for this purpose that touches on the following aspects:

- an historical overview of the idea of “natural rights,” including the Romans, the Enlightenment and the American colonial experience.
- a review of the principles enshrined in the Declaration of Independence, the Virginia Declaration of Rights and other revolutionary period documents **maybe Common Sense and/or Letters From a Pennsylvania Farmer?*
- the origins of Massachusetts State Constitution including the 1779 Constitution, the contributions of John Adams and the ratification of the 1780 Constitution
- an overview of the Mass. Declaration of Rights (Part the First)
- the arguments during the ratification process of the 1787 federal Constitution for inclusion of a bill of rights
- the adoption of the first ten amendments, the Bill of Rights

2. For homework after the first class period:

- Have the students read from the Massachusetts State Constitution of 1780 from the Preamble through the end of Part the First. This may be done by paper copy or students may find an electronic copy online at the National Humanities Institute:
<http://www.nhinet.org/ccs/docs/ma-1780.htm>
- Students should mark up/annotate the text and/or formulate written responses based around the following: What “core principles” govern the MA Constitution of 1780?
What experiences during the colonial and revolutionary periods probably contributed to the belief that these specific rights needed to be codified?
How is the MA Constitution consistent with the general principles of the American Revolution?
Are there any ways in which it is not consistent with those principles?
Is this document still consistent with the principles of American government today- in other words, is it still relevant for our time? Explain.

3. Day two of the lesson. Start with a brief warmup activity in which students are asked which of the rights in the MA Constitution of 1780 they think would have been most important to the people of Massachusetts in 1780? Which right is the most important to them personally today. Go around the room and solicit answers from several students. This is meant to be a brief (10 minute) activity/discussion.

4. Provide students with a copy of the federal Bill of Rights (1791). In small groups, have the students note similarities and differences between this bill of rights and the MA declaration of rights. Have students organize this information into a comparison/contrast chart. The “Ven diagram” is not recommended. Have the groups report out and construct a class chart on the board. As items are added, encourage discussion of the items based on last night’s homework questions and the ideas of “why in 1780, and then ten years later, did they want to protect *these* rights?” and “are these still as relevant to us today?”

5. Assessment: Homework for the second day of class will be for the students to write an essay on whether they think the Mass. Declaration of Rights was a major influence on the federal Bill

of Rights, and why they do or do not believe that to be the case. Students should be encouraged to include historical contextual information as well as cite specifically from the two documents.

Sources:

Constitution of Massachusetts, 1780. <http://www.nhinet.org/ccs/docs/ma-1780.htm>

The Center for Constitutional Studies at the National Humanities Institute,
<http://www.nhinet.org/ccs>

Kammen, Michael. The Origins of the American Constitution: A Documentary History. (New York: Penguin Group) 1986.