

The US Constitution: Preamble and the Bill of Rights, 1787–1791

WE, the People of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

A R T I C L E I.

Sec. 1. ALL legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Sec. 2. The House of Representatives shall be composed of members chosen every second year by the people of the several states, and the electors in each state shall have the qualifications requisite for electors of the most numerous branch of the state legislature.

No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.

Representatives and direct taxes shall be apportioned among the several states which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of representatives shall not exceed one for every thirty thousand, but each state shall have at least one representative; and until such enumeration shall be made, the state of New-Hampshire shall be entitled to choose three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New-York six, New-Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North-Carolina five, South-Carolina five, and Georgia three.

The Preamble to the US Constitution, September 17, 1787, printed by Dunlap & Claypoole, Philadelphia (The Gilder Lehrman Institute, GLC03585p1)

THE GILDER LEHRMAN
INSTITUTE of AMERICAN HISTORY

TL TEACHING LITERACY
TH THROUGH HISTORY



The US Constitution: The Preamble and the Bill of Rights, 1787–1791

BY TIM BAILEY (created in 2013, revised in 2025)

Tim Bailey taught elementary and middle school in Utah for twenty years. Named the 2009 National History Teacher of the Year, he currently serves as the Gilder Lehrman Institute's director of curriculum development and instructional design.

GRADE LEVELS: 3–5

RECOMMENDED TIME FOR COMPLETION: Four 45-minute class periods

UNIT OVERVIEW

This unit is one of the Gilder Lehrman Institute's Teaching Literacy through History™ (TLTH) resources, designed to align with the Common Core State Standards. Students will learn and practice skills that will help them analyze, assess, and develop knowledgeable and well-reasoned points of view on creative primary source materials. These skills will enable students to understand, summarize, and evaluate materials of historical significance.

Over the course of four lessons the students will analyze and assess the Preamble to the US Constitution and the Bill of Rights, the first ten amendments to the US Constitution. To demonstrate their knowledge and understanding of the documents, the students will answer critical-thinking questions, summarize the meaning of the text, and restate it in their own words. They will also create an original drawing of a selected amendment that accurately conveys its meaning and significance.

Students will be able to

- Identify, analyze, and assess the major principles and purposes of the national government, the US Constitution, the Bill of Rights, and constitutional amendments
- Explain and understand the meaning of unfamiliar vocabulary words based on their context and usage
- Restate a primary source text in their own words
- Illustrate a text in a way that accurately depicts its meaning
- Collaborate effectively with classmates to develop and express (orally and in writing) viewpoints on the texts for this unit

ESSENTIAL QUESTIONS

- What good things did founders hope that a Constitution would provide?
- To ensure these good things, what rights did the Bill of Rights pledge to protect?

COMMON CORE STATE STANDARDS

CCSS.ELA-LITERACY.RI.5.1: Refer to details and examples in a text when explaining what the text says explicitly and when drawing inferences from the text.

CCSS.ELA-LITERACY.RI.5.2: Determine the main idea of a text and explain how it is supported by key details; summarize the text.

CCSS.ELA-LITERACY.RI.5.4: Determine the meaning of general academic and domain-specific words or phrases in a text relevant to a grade 4 or 5 topic or subject area.

CCSS.ELA-LITERACY.SL.4.5: Add audio recordings and visual displays to presentations when appropriate to enhance the development of main ideas or themes.

CCSS.ELA-LITERACY.SL.5.1: Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on *grade 5 topics and texts*, building on others' ideas and expressing their own clearly.

CCSS.ELA-LITERACY.SL.5.1D: Review the key ideas expressed and draw conclusions in light of information and knowledge gained from the discussions.

CCSS.ELA-LITERACY.SL.5.2: Summarize a written text read aloud or information presented in diverse media and formats, including visually, quantitatively, and orally.

CCSS.ELA-LITERACY.W.5.1: Write opinion pieces on topics or texts, supporting a point of view with reasons and information.

CCSS.ELA-LITERACY.W.5.2: Write informative/explanatory texts to examine a topic and convey ideas and information clearly.

MATERIALS

- Primary Source 1: The Preamble to the United States Constitution," *Our Documents*, ourdocuments.gov
- Activity Sheet 1: Summarizing the Preamble to the US Constitution
- Primary Source 2: The Bill of Rights: Amendments 1–5, *Our Documents*, ourdocuments.gov
- Activity Sheet 2: Analyzing Amendments 1–5
- Primary Source 3: The Bill of Rights, Amendments 6–10, *Our Documents*, ourdocuments.gov
- Activity Sheet 3: Analyzing Amendments 6–10
- Art paper, drawing supplies, and/or access to computers with appropriate graphics programs

HISTORICAL BACKGROUND

From Friendship to Nationhood: The US Constitution and the Bill of Rights

by Linda Monk

Imagine that thirteen brothers and sisters had to build a new nation. Would they be willing to work together to make their dream come true? Or would they just fight among themselves and grow weaker? That was the job facing the new United States of America in 1776: making a single country from thirteen individual states. They chose as their motto *E Pluribus Unum*: out of many, one.

At first, the states worked together to win independence from Great Britain. They formed the Articles of Confederation, their first constitution or highest form of law. It was a “firm league of friendship” where every state was equal and kept its own power. But after the American Revolution, things started to fall apart. States wanted to make their own treaties with other nations, and they wanted to tax each other’s trade. And no state wanted to pay taxes to support the soldiers who had won the Revolutionary War.

Finally, some former soldiers in western Massachusetts had enough. They were losing their farms due to high taxes and no pay. Captain Daniel Shays led other farmers and veterans to close the courthouses and stop their homes from being taken for debts from 1786 to 1787. Known as “Shays’ Rebellion,” this armed protest led many people to think a stronger national government would prevent the causes of such unrest.

To fix this problem, the Congress called a convention to suggest changes to the Articles of Confederation. It was held in Philadelphia in May 1787, with fifty-five leaders from twelve states present (tiny Rhode Island stayed home). George Washington, the head general during the Revolutionary War, was elected president of the convention. Quickly, the convention decided to throw out the Articles and start from scratch to create a new constitution based on a plan developed by James Madison of Virginia. Benjamin Franklin of Philadelphia, a world-famous scientist and writer, also played a big part in the convention.

These framers of the Constitution drafted a “federal” government, in which the states and a new national government shared power. And they divided Congress into two houses: the Senate, where all states were equal and had the same vote, and the House of Representatives, where larger states with more people had more votes.

Another big question at the convention was how enslaved people should be counted in the total number of people in each state. Both taxes and votes in Congress were based on a state’s population. In 1776, slavery was legal in all thirteen states, but by 1787 some northern states had begun to ban it. States that opposed slavery did not want to count enslaved people at all, because that gave slave states more power in Congress. But not counting enslaved people meant that the states in which they lived paid far less taxes. The convention decided to count three-fifths of enslaved people in the total population of each state, as well as put off the option of a ban on the international slave trade until 1808.

Finally, on September 17, 1787, the Constitution was signed by thirty-nine delegates. But then nine states had to ratify or approve for it to become law. A huge debate began between Federalists, who supported the Constitution, and Anti-federalists, who opposed it. Many states proposed adding a bill of rights, which would protect the rights of the people under a new stronger government.

After ratification, the new government began in early 1789, and George Washington was elected the

first president of the United States. Then James Madison, serving in Congress, drafted a bill of proposed amendments, which was changed by the House and Senate and sent to the states for ratification on September 25, 1789. On December 15, 1791, these first ten amendments to the Constitution were added—including freedom of religion, speech, and press. As George Washington had predicted, the secret to the success of the Constitution was that it allowed amendments, or change, by the people themselves.

Linda R. Monk, J.D., is a constitutional scholar and the author of The Bill of Rights: A User's Guide, The Words We Live By: Your Annotated Guide to the Constitution, and Ordinary Americans: U.S. History Through the Eyes of Everyday People.

LESSON 1

THE PREAMBLE TO THE UNITED STATES CONSTITUTION, 1787

BY TIM BAILEY (created in 2013, revised in 2025)

OVERVIEW

In this first lesson the students will do a close reading of the Preamble to the US Constitution, restate the text in their own words as responses to questions, and summarize the meaning of the text.

MATERIALS

- Primary Source 1: The Preamble to the United States Constitution,” *Our Documents*, ourdocuments.gov
- Activity Sheet 1: Summarizing the Preamble to the US Constitution

PROCEDURE

1. Discuss or read from the Historical Background to provide students with context for this lesson. Explain that a “preamble” is an introduction. This preamble is an introduction to the US Constitution and is meant to explain the purpose of the Constitution.
2. Distribute Primary Source 1: The Preamble to the United States Constitution.
3. “Share read” the text with the students. This is done by having the students follow along silently while you begin reading aloud, modeling prosody, inflection, and punctuation. Ask the class to join in with the reading after a few sentences while you continue to serve as the model for the class. This technique will support struggling readers as well as English language learners (ELL).
4. Distribute the activity sheet. It is helpful if the organizer can be projected where the entire class can follow along.
5. You will be the guide for this whole-group activity. (Depending on the abilities of your students, you could model the first two or three questions and then allow them to continue independently or in small groups.) Address one question at a time and help the class reason out the best answer. This activity is designed to build critical-thinking skills as well as help the students develop effective strategies when facing difficult texts. The vocabulary will be the most difficult barrier. Let students discuss possible meanings of the unfamiliar words and only provide definitions or synonyms when they are truly stuck.
6. Show the students how to use the answers to the questions to construct a summary. For example, “The

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GRADE LEVELS: 3–5

RECOMMENDED TIME FOR COMPLETION: One 45-minute class period

UNIT OVERVIEW: This unit is one of the Gilder Lehrman Institute’s Teaching Literacy through History™ (TLTH) resources, designed to align with the Common Core State Standards. Students will learn and practice skills that will help them analyze, assess, and develop knowledgeable and well-reasoned points of view on visual materials. Over the course of four lessons the students will analyze and assess the Preamble to the US Constitution and the Bill of Rights, the first ten amendments to the US Constitution.

people of the United States want to make a better country where it is fair and peaceful, everyone is defended, and everyone can be free to choose who they want to be. We are doing this for ourselves and our children and their children. We promise to make this Constitution work for all Americans.”

LESSON 2

THE BILL OF RIGHTS, AMENDMENTS 1–5

BY TIM BAILEY (created in 2013, revised in 2025)

OVERVIEW

In this lesson, the students will examine the first five amendments to the US Constitution—the first half of the Bill of Rights, ratified in 1791. Individually or in groups, they will close read the amendments and restate the meaning of the text in their own words.

MATERIALS

- Primary Source 2: The Bill of Rights: Amendments 1–5, *Our Documents*, ourdocuments.gov
- Activity Sheet 2: Analyzing Amendments 1–5

PROCEDURE

1. You may choose to have the students complete this lesson individually, as partners, or in small groups of three to four students.
2. Briefly discuss with the students the information in the Historical Background regarding what an amendment is and that there are more than these first ten. Explain to the students that they will be reading the text of the first five amendments to the US Constitution in order to understand the original intent of the Founders and how their words can be interpreted. The amendments that are part of the Bill of Rights have an important thing in common: They are a list of the things that the federal government cannot do to individuals residing in the US, even if a majority of Americans want the government do that thing.
 - a. If your *mom* wants to search your room without a warrant, she can do that legally. *But the federal government cannot.*
 - b. Even if the *majority of Americans* wanted to force people to accept members of the military as long-term houseguests, *the federal government still could not* force people to accept these houseguests.
 - c. The Bill of Rights protects *individuals*. It does so by *putting limits on government* and democracy.
3. Distribute Primary Source 2: The Bill of Rights: Amendments 1–5 and Activity Sheet 2: Analyzing

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Amendments 1–5.

4. “Share read” the first five amendments with the students as described in Lesson 1.
5. The task for the students is to put the first five amendments into their own words. To model this learning activity, display the activity sheet so that all students can see it. Go through the process of paraphrasing the First Amendment. With the students, carefully reread the amendment and analyze the text, breaking it into chunks as necessary. Together, restate each section of the text so that the amendment as a whole makes sense to the class. For instance, “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof” could be restated as “The government can’t start religions or stop people from practicing their own.” Write the restatement in the box next to the original text.
6. Ask the students to continue with the rest of the amendments on the sheet. As they complete the amendments, you can share out some of the best results to keep the students on the right track and to

acknowledge their critical-thinking skills.

LESSON 3

THE BILL OF RIGHTS, AMENDMENTS 6–10

BY TIM BAILEY (created in 2013, revised in 2025)

OVERVIEW

In this lesson, students will examine the next five amendments to the US Constitution—the second half of the Bill of Rights, ratified in 1791. The students, individually or in groups, will close read the amendments and restate the meaning of the text in their own words.

MATERIALS

- Primary Source 3: The Bill of Rights, Amendments 6–10, *Our Documents*, ourdocuments.gov
- Activity Sheet 3: Analyzing Amendments 6–10

PROCEDURE

1. You may choose to have the students complete this lesson individually, as partners, or in small groups of three to four students.
2. Review both the information in the Historical Background and the procedure from Lesson 2.
3. Distribute Primary Source 3: The Bill of Rights, Amendments 6–10 and Activity Sheet 3: Analyzing Amendments 6–10.
4. Share read the amendments as described in Lesson 1.
5. Depending on the abilities of your students, you may analyze and restate the Sixth Amendment with the students as you did the First Amendment or you may have them work on their own or in groups.
6. As students complete the amendments, you may share out some of the best results to keep the students on the right track and to acknowledge their critical-thinking skills.

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ILLUSTRATING THE BILL OF RIGHTS

BY TIM BAILEY (created in 2013, revised in 2025)

OVERVIEW

The students will create an illustration that shows an understanding of the meaning and significance of one of the first ten amendments in the Bill of Rights. They will use a quotation from the text of their amendment as a caption for the illustration. They will then present their work orally to the class, focusing on their understanding of the amendment and its significance.

MATERIALS

- Primary Source 2: The Bill of Rights, Amendments 1–5
- Completed Activity Sheet 2: Analyzing Amendments 1–5
- Primary Source 3: The Bill of Rights, Amendments 6–10
- Completed Activity Sheet 3: Analyzing Amendments 6–10
- Art paper, drawing supplies, and/or access to computers with appropriate graphics programs

PROCEDURE

1. You may choose to have the students complete this learning activity individually, with a partner, or in small groups.
2. Introduce the illustration project and explain that the students must choose text from their amendment as a caption for an illustration that shows the meaning and importance of that amendment.
3. You may assign individual amendments to the students, pairs, or groups, have the students select their preferred amendment, or have a random drawing. Some amendments are more complex than others. For example, the First Amendment enumerates several fundamental freedoms (religion, speech, assembly, petition, and the press), whereas others have a more singular focus, such as the Fourth Amendment's prohibition on unreasonable searches and seizures of property without warrants. Individual students, pairs, or groups should be assigned one specific element from the more complex

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amendments. Overall, it is also preferable that all ten amendments (or parts of amendments) are assigned before duplicating any of them.

4. Distribute the art supplies to the students. You may also allow them to choose graphics from online sources that you select or use computer graphics programs.
5. The students should select a phrase from the text of their amendment as a caption to give direction to their work. For example, a caption from the First Amendment, “The right of the people peaceably to assemble,” might go with an illustration of a crowd or group of people displaying signs at a gathering or meeting.
6. As the students proceed with this learning activity, brainstorming (if they are in pairs or groups), developing, and then drafting their ideas into illustrations, circulate among them to answer questions, provide additional direction, and monitor progress.
7. Upon completion, the individual students, pairs, or groups will display their illustrations, deliver brief oral presentations (explanations and interpretations of their assigned amendment), and answer any follow-up questions that are posed by you or their classmates.

Primary Source 1: The Preamble to the US Constitution

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

Activity Sheet 1: Summarizing the Preamble to the US Constitution

We the people of the United States,

Who wrote this Constitution?

in order to form a more perfect Union,

Why did they write this document?

establish Justice, insure domestic
Tranquility,

What did they want to guarantee?

provide for the common defence,

Who did they want to defend?

promote the general Welfare, and secure the Blessings of Liberty

Who were these blessings for and what were these blessings?

to ourselves and our Posterity,

Who got these good things and how long would they last? _____

do ordain and establish this Constitution

What were they promising to do?

for the United States of America.

Who was this being done for?

Summary:

Primary Source 2: The Bill of Rights, Amendments 1–5

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 a 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.

Activity Sheet 2: Analyzing Amendments 1-5

Amendment 1

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 a redress of grievances.

In your own words

Amendment 2

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.

In your own words

Amendment 3

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.

In your own words

Amendment 4

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.

In your own words

Amendment 5

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.

In your own words

Primary Source 3: The Bill of Rights, Amendments 6–10

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 defence.

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 reexamined 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 punishments 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.

Activity Sheet 3: Analyzing Amendments 6–10

Amendment 6

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 defence.

In your own words

Amendment 7

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 reexamined in any Court of the United States, than according to the rules of the common law.

In your own words

Amendment 8

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

In your own words

Amendment 9

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

In your own words

Amendment 10

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.

In your own words
