

In this lesson, students will use an abridged version of the North Dakota Constitution to learn about their rights and the responsibilities related to those rights.

## Supplies

- Copies of the “Constitution of North Dakota Synopsis” chart below
- Copies of the “Analyzing Rights and Responsibility in Primary Documents” worksheet below
- Primary Sources 1-8, printed as a packet for students or ready to be projected or shared electronically

## Setup

- Students can work independently or in groups.
- Have the copies of the supplies ready for distribution.

## Objectives

- Students will learn about the rights listed in the Constitution of North Dakota.
- Student will understand the difference between rights and responsibilities and apply that knowledge to the rights in the Constitution of North Dakota.

## Background

What are rights? The term “rights” is used so feely that it can be difficult to define. Rights are privileges and protections individuals or groups have that are meant to ensure fair treatment by the government. There are many different kinds of rights, including political rights, civil rights, and fundamental rights held by all human beings. The United States is founded on the belief that our government was formed to protect our rights. According to the Declaration of Independence, protecting rights is the reason we have government in the first place. Throughout history, Americans have fought to preserve rights. Rights are so important that the U.S. Constitution contains a Bill of Rights, and all states

have a bill of rights or declaration of rights within their state constitutions. Article I of the Constitution of North Dakota is the Declaration of Rights.

Many of the rights listed in the Constitution of North Dakota are also listed in the Bill of Rights. This attests to the significance of those rights for North Dakotans. It also explains part of the history of the U.S. Constitution. Initially, the Bill of Rights was interpreted as those rights that protected individuals from the federal government, not the state governments. As a result, state constitutions included many of the rights from the Bill of Rights.

Though Americans hold rights dear, that attachment alone does not ensure our rights are protected. To protect our rights, people need to exercise them, defend them, know them, and participate in government. People have the responsibility to exercise rights reasonably, defend other people’s rights, and participate in democracy to help ensure everyone’s rights. Responsibilities include serving on a jury, speaking truthfully using language that doesn’t harm and is not obscene, being informed about issues and informing others, voting, following just laws, challenging unjust laws, and other obligations. Without people fulfilling their responsibilities, rights might not be protected and could even be taken away.

## Activity

1. Ask the students what rights are.
2. Have a discussion about their definitions of rights and come to an agreed-upon definition. You can use the one from the background information above or create a unique definition that better fits the class’s understanding.
3. Explain that rights are listed in the United States and North Dakota constitutions.

4. Hand out the chart “Constitution of North Dakota Synopsis.”
5. Go through each section and make sure students understand what rights are being protected by the sections outlined in the chart. If you have more time, you could omit the modern language version and have the kids come up with their own modern descriptions.
6. Hand out the chart “Analyzing Rights and Responsibilities in the Constitution of North Dakota.”
7. Either hand out a packet of the primary sources or provide them electronically for the students.
8. Assign the students to complete the “Analyzing Rights and Responsibilities in the Constitution of North Dakota.”
9. Discuss student findings.

## **Extension**

1. Have students look for rights from the North Dakota Constitution in local or state news.
2. Have students analyze the Bill of Rights from the U.S. Constitution and see how many rights are in both documents.

## **Reflection questions**

1. Is it important to list our rights in a constitution? Why or why not?
2. Would we have rights if people did not exercise their responsibilities?
3. What can you do to protect your constitutional rights, even though you can't vote?

## Constitution of North Dakota Synopsis

In the chart below, Article I—Declaration of Rights of the Constitution of North Dakota covers rights of the people. A select number of sections are quoted and put in everyday language. The entirety of the Constitution of North Dakota can be found [here](#), and the original Constitution of North Dakota can be found [here](#).

Section	Original Language	Synopsis in Modern Language
Sec. 1	<p>“All individuals are by nature equally free and independent and have certain inalienable rights, among which are those of enjoying and defending life and liberty; acquiring, possessing and protecting property and reputation; pursuing and obtaining safety and happiness; and to keep and bear arms for the defense of their person, family, property, and the state, and for lawful hunting, recreational, and other lawful purposes, which shall not be infringed.”</p>	<p>All people have rights simply because they are human. These rights include life, liberty (freedom), property, and reputation. The people have the right to bear arms.</p>
Sec. 2	<p>“All political power is inherent in the people. Government is instituted for the protection, security, and benefit of the people, and they have a right to alter or reform the same whenever the public good may require.”</p>	<p>The people have ultimate authority by voting for and changing the government.</p>
Sec. 3	<p>“The free exercise and enjoyment of religious profession and worship, without discrimination or preference shall be forever guaranteed in this state, and no person shall be rendered incompetent to be a witness or juror on account of his opinion on matters of religious belief; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of this state.”</p>	<p>The people can believe and practice their religion freely. This right is limited if it endangers the public.</p>
Sec. 4	<p>“Every man may freely write, speak and publish his opinions on all subjects, being responsible for the abuse of that privilege. In all civil and criminal trials for libel the truth may be given in evidence, and shall be a sufficient defense when the matter is published with good motives and for justifiable ends; and the jury shall have the same power of giving a general verdict as in other cases; and in all indictments or informations for libels the jury shall have the right to determine the law and the facts under the direction of the court as in other cases.”</p>	<p>Every person has the right to free speech. If they lie to harm others, they can be taken to court and found guilty if there is evidence to prove guilt.</p>

Section	Original Language	Synopsis in Modern Language
Sec. 5	<p>“The citizens have a right, in a peaceable manner, to assemble together for the common good, and to apply to those invested with the powers of government for the redress of grievances, or for other proper purposes, by petition, address or remonstrance.”</p>	<p>The people have a right to assemble or gather peacefully, and they can ask the government to act on an issue.</p>
Sec. 8	<p>“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 warrant shall issue but upon probable cause, supported by oath or affirmation, particularly describing the place to be searched and the persons and things to be seized.”</p>	<p>The people have a right to privacy, and the government cannot search or take possession of private property without a search warrant.</p>
Sec. 13	<p>“The right of trial by jury shall be secured to all, and remain inviolate. A person accused of a crime for which he may be confined for a period of more than one year has the right of trial by a jury of twelve. The legislative assembly may determine the size of the jury for all other cases, provided that the jury consists of at least six members. All verdicts must be unanimous.”</p>	<p>The people have a right to a fair trial decided by a jury. For a criminal trial with punishment that could be more than one year, the jury needs to have 12 members.</p>
Sec. 19	<p>“The military shall be subordinate to the civil power. No standing army shall be maintained by this state in time of peace, and no soldiers shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, except in the manner prescribed by law.”</p>	<p>The military of the state, or National Guard, is under the control of the people who have ultimate authority in the state. This force cannot be a permanent army such as the U.S. government has.</p>

## Analyzing Rights and Responsibilities in the Constitution of North Dakota

Source	Topic	What right is described in the source?	What responsibility is connected to that right?
1	Voting for women		
2	"People's Forum"		
3	National Guard armory		
4	"District Court Now in Session"		
5	"The Seeds of Victory Insure the Fruits of Peace"		

## Analyzing Rights and Responsibilities in Primary Documents Answer Guide

Source	Topic	What right is described in the source?	What responsibility is connected to that right?
1	Voting for women	Assemble (Sec. 5) Petition (Sec. 4) Voting (Sec. 2)	Voting Peaceful assembly Informing others
2	“People’s Forum”	Petition and free speech (Sec. 4)	Writing letters to the editor Speaking out honestly and peaceably
3	National Guard armory	Military subordinate to the people (Sec. 19)	Serving in the National Guard Being informed
4	“District Court Now in Session”	Trial by jury (Sec. 16)	Serving on jury when called
5	“The Seeds of Victory Insure the Fruits of Peace”	Freedom, fundamental rights (Sec. 10)	Volunteering Helping the community Sacrificing for the greater good

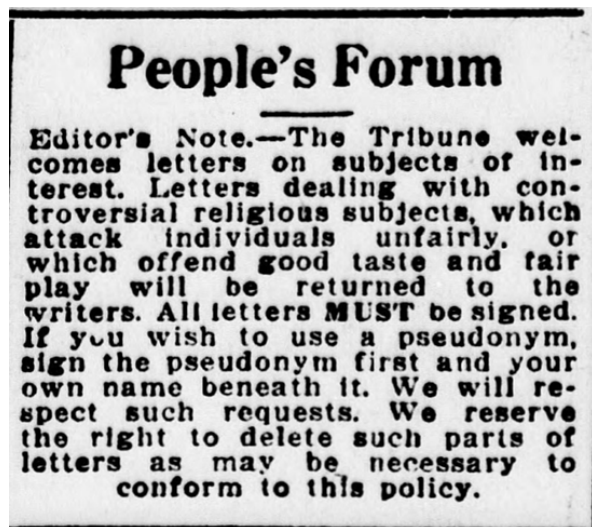
## Primary Source No. 1



Women attend a voting rally, July 1914. SHSND SA 10204

[Details](#) | [North Dakota Heritage Center & State Museum \(nd.gov\)](#)

## Primary Source No. 2



*Bismarck Tribune*, Oct. 13, 1931, p. 6

[Chronicling America](#)

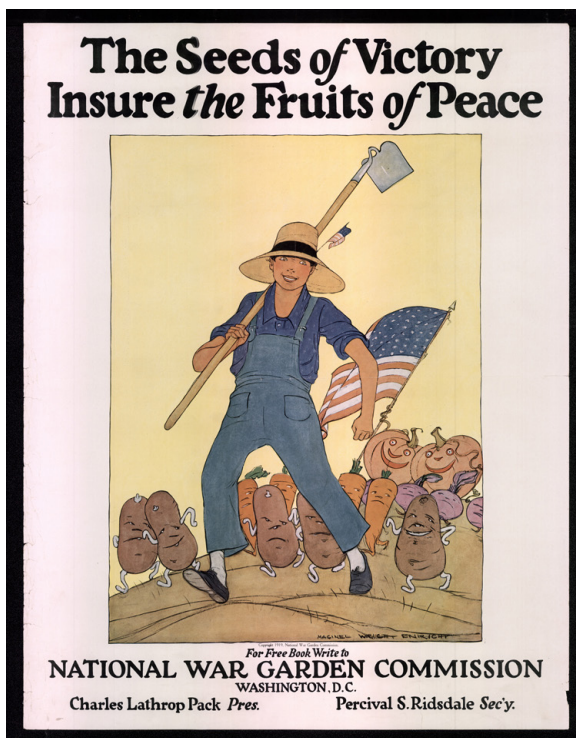
## Primary Source No. 3



3rd Platoon Company of North Dakota National Guard, circa 2004. SHSND SA 01144-00036

[Details | North Dakota Heritage Center & State Museum \(nd.gov\)](#)

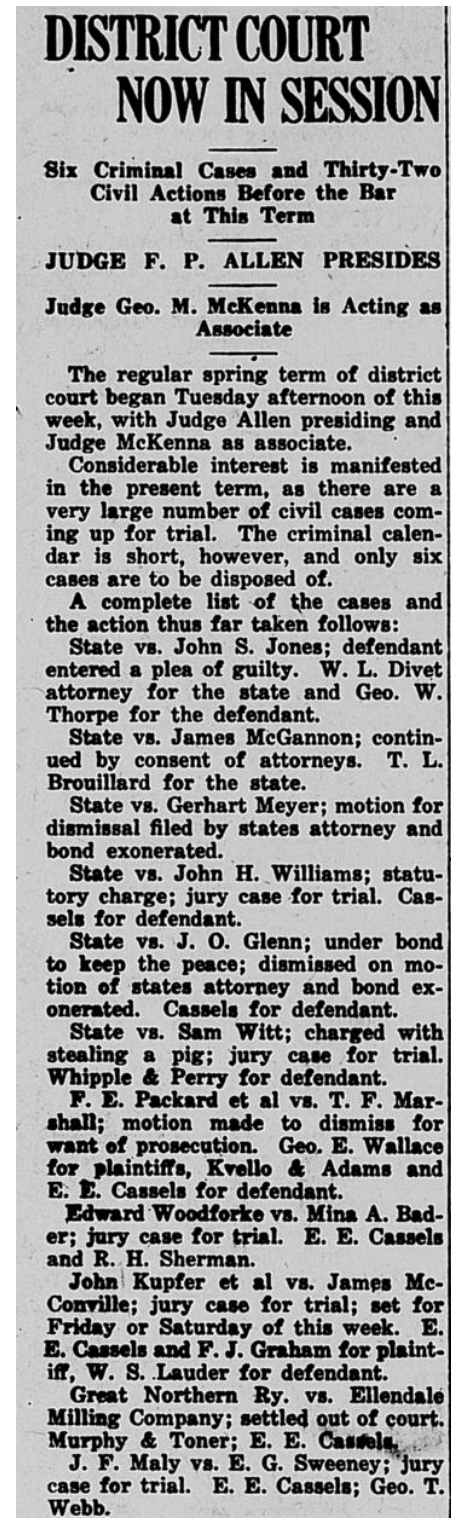
## Primary Source No. 5



“The Seeds of Victory Insure the Fruits of Peace” World War I propaganda poster, circa 1919. SHSND SA P0536

[Details | North Dakota Heritage Center & State Museum \(nd.gov\)](#)

## Primary Source No. 4



The Oakes Times, March 3, 1921, p. 1

[Chronicing America](#)