

## WE THE PEOPLE, The Play



Written By  
Cristal Robinson, Attorney  
Shawn Martin

Owned By  
The Mcartitstal Foundation and Cristal Robinson

### Setting

Two time periods reflected in a modern day coffeehouse and the Colonial tavern (City Tavern) separated by a wall. The set should use the same materials for both times, but change the counter/bar by a sign of what is being sold.

### Parts

Narrator

Modern Day Coffeehouse

College Student – with school books studying for a test

Waitress – knowledgeable about current events and people

Colonial Tavern

James Madison – with quill and paper writing parts of the Constitution

Waitress - knowledgeable about current events and people

### Requirements

#### Clothing

Modern Day Coffeehouse

College Student – Jeans & T-Shirt

Waitress – Jeans & T-shirt

Colonial Tavern

James Madison – Colonial Black pants and white shirt with black jacket - White Hair

Waitress – Colonial working person dress- Hair Pulled Up

**Set**

Backdrop with 2 distinct sections separated by a wall

2 Counters or Bars

Bar Stools

Tables & Chairs

Modern Day Coffeehouse

Big Screen Television

Black Board w/menu

Colonial Tavern

Rack with Newspapers

Black Board w/menu

**Props**

Modern Day Coffeehouse

Plastic Pitcher

Coffee Mugs

Backpack

Textbooks

Notebook

Laptop

Pens

Colonial Tavern

Metal Pitcher

Mugs

Satchel

Law Books

Journal

Parchment Paper

Quill & Ink

**Audio/ Video**

The Star-Spangled Banner

Recording of the Pledge of Allegiance

The Star-Spangled Banner (Jimi Hendrix or newer band)

Slides showing the topics in the play to show on a screen

## USE OF THE PLAY

We the People, The Play is provided only to non-profits that are a school, community center, or other educational entities for the sole purpose of educating the most people about the US Constitution. I used the TAKS to write this play so teachers in Texas would be able to use it along with other materials to teach Kindergarten and 5<sup>th</sup> grade.

By using this play you agree to not make a profit charge for admission or asking for donations to cover anything other than expenses by sponsorships or change the play in any way or form, except to word it easier for the specific actor.

If a profit is made, the entity making the profit will be forced under the laws of the State of Texas to forfeit all profit to a non-profit entity to be negotiated by mediation. If you decide to make a profit by charging for admission, you may donate the proceeds to Mcartitstal Foundation for the future expansion of We the People, The Play.

If a change in the play is made in any way, the entity will not be allowed to use the play for any future performances and any remedies under the laws of the State of Texas could be sought.

At any point during the time you are planning to produce the play, rehearsing the play, or performing the play, you are encouraged to contact me for any questions you may have regarding the play.

Cristal Robinson, Attorney

Emails: [cristal@cristalrobinson.com](mailto:cristal@cristalrobinson.com)

If you decide to use We the People, The Play you must contact us in writing by email or postal mail stating non-profit entity, address, phone, person responsible, and proposed audience BEFORE to obtain permission. After using the play, you must inform us regarding the number of people in attendance for our records. If you make a video or other recording, you must send a copy for our records.

Thank you very much for wanting to use We the People, The Play to educate your children regarding the US Constitution.

Sincerely,

Cristal Robinson, Attorney

**Full lights- House up, Stage Up.**

**Curtain Speech**

**House lights down, Stage lights off. ... Bring up Spot- center stage**

**Singer will ask audience to rise for national anthem and Pledge of Allegiance. –She completes and exits the stage.**

**Stage Lights up:**

Narrator: (entering from Stage left)

Pretty song, huh? Does anybody here know the history of that song?

The lyrics come from a poem written in 1814 by Francis Scott Key, a 35 year old amateur poet. The poem was then set to the tune of a popular British drinking song. That's right, our national anthem has the same tune as a tavern song! Interestingly, it didn't become our National Anthem until 1931, when it was made so by an Act of Congress. The Pledge of Allegiance? That came much earlier; 1892 courtesy of President Harrison. Over a hundred years after the United States was formed! It has since been modified three times. Oh, and did you know that the salute you see people doing has also been modified several times?

Well, you folks aren't really here today to learn about the Star Spangled Banner or the Pledge of Allegiance are you?

Can anybody tell me why we're here?

That's right; we're here to talk about the Constitution.

OK, to get a grip on the Constitution, it'll help to understand how it came to be. SCENE CHANGE PLEASE!

Now, this is Independence Hall. It's in Philadelphia Pennsylvania. Both the Declaration of Independence and the U.S. Constitution were written right inside that building. Let's take a peek inside, shall we?

There are a lot of people in there! See the windows in the back? This painting shows them as having the drapes (that's a fancy word for curtains) open at the signing, but the histories that I've read all said that they were closed. You see, it was a secret. The people that created the constitution all had different views on just what the constitution should be, and they didn't want the general public to be arguing every point, when they fully expected to be arguing amongst themselves already. There has

been a lot of discussion on whether or not it should have been written privately like that, but the fact is that it was. Every one of the gentlemen in this picture had something to say, and each of them is well worth studying. So if we start with the first and work our way to the last, giving every one of them a good, careful look, we should be done here sometime late next week. Did you bring enough food?

What!

Just how long do we have? 40 minutes? That's silly! Well, if that's all the time we have, let's see if we can at least get you started.

This is a painting of the signing of the Constitution. See the guy standing up between the chair and the desk? That's George Washington. Who can tell me about George Washington? That's right! He was the first President of the United States of America. He's the guy that is supposed to have chopped down the cherry tree, right? I've read, more than once, that the cherry tree story isn't true. But something that is supposed to be true is that of the 11 battles he fought in the revolutionary war, only three were won. One was a draw, and the other seven were lost. Can you imagine making it to the Super Bowl with that kind of record? Not a chance! But even with that record, he is given credit for winning the Revolutionary war. You see, his strategy wasn't really about winning battles, he was more interested in making the war last so long that England couldn't afford to keep the war effort going from clear across the sea. This proved to be an effective strategy. That means it worked.

In 1787, he was king of the hill. He wasn't president yet, because we didn't have one yet. But he was still the most important man in the country at the time. He was so important, that when the Founding Fathers were trying to put together the Constitutional Convention, they felt that if George Washington wasn't there, they wouldn't succeed. Now, you would think that being so important, he would pretty much run the convention? Not so. Mr. Washington addressed the Convention on only two occasions. He opened the convention, and 4 months later he closed it. That's it. The most well known and popular man in the country at the time, and he only spoke to the Convention twice. He did keep a diary during the Convention. It was mostly concerned with what he ate. Now that's a man I can relate to!

Well, on to the Constitution of the United States of America! First, let's look at the Preamble. That's the first paragraph of the Constitution. It tells you about the intent of the document.

And with that I present you....We The People

**BO**

Scene change – actors enter from either side.

**Fade up to Stage Right: Modern Day Coffeehouse**

Waitress:

You look stressed out, Cristal. What's wrong?

College Student:

Oh, Oh, I'm just frustrated and scared about a test I have today.

Waitress: You always do well in school. What class is giving you so much trouble?

College Student:

US Government

Waitress:

That class isn't hard! Who do you have?

College Student:

Dr. Smith, he always has these essay questions like, "Explain the purpose of the US Constitution as identified in the Preamble of the Constitution."

Waitress:

Ah, yes. "*We the people of the United States in order to form a more perfect union, Establish justice, Insure domestic tranquility, Provide for he common defense, Promote the general welfare, And secure The blessings of Liberty To ourselves And our posterity Do ordain and establish The constitution Of the United States of America.*"

With questions like that, I take each part and look at it separately.

Take the first phrase, "We the people of the United States." In 1787, that meant white males over the age of 21. That's changed a bit in the last 200 years or so! But the Founding Fathers realized that society changes, and if we were going to keep up a successful government, then the Constitution, would have to be a at least a little bit flexible.

Then there's the second phrase. Hey, did you know that the preamble is just one sentence? No, really! One very long sentence...with lots and lots of commas. Anyway, let's see, second phrase..."in order to form a more perfect union." Well, the whole reason they were there in the first place was because the government created after the Revolutionary War, under

the Articles of Confederation, wasn't working. So they wanted to make it better, "more perfect." So, they assumed from the start that it would still need work and set it up so that the constitution could grow with the country.

Then with the third phrase, they "establish justice". Back then, they all had experience with the justice of the current government, and lots of experience with justice under British law. So they all knew they had to set up a system that from the beginning would establish justice. That's why they formed the judiciary branch of Government. They take the laws that are made and try to figure out what they mean, instead of a King who would make the law, administer the law, and decide what it would mean.

The preamble goes on to say a lot of things, but basically it explains the purpose of the Constitution, and that's what you need to know. The purpose is to create a government that would allow the United States to grow and continue to be free, peaceful, and well defended, forever...

College Student:

WOW, do you want to take my test for me.

Waitress:

No, I know you'll do well. [You just need to relax and think about why the Founding Fathers wrote the Constitution.](#)

**XF to Stage Left - to Colonial Tavern**

Barmaid:

Mr. Madison, how are you today?

James Madison:

I could be better, but for the most part I am hopeful.

Barmaid:

Why do you say that?

James Madison:

You know I am doing that ... research about a new form of government.

Barmaid:

Yes, you and all those other gentlemen are having that "secret meeting."

James Madison:

Yes, Gouverneur Morris and the other members of the Committee of Style and Arrangement are finalizing the paper and the wording is very important so future generations can understand what the Constitution means.

Barmaid:

So what \*does\* this constitution mean?

James Madison:

The Constitution will set up how the government will run.

Barmaid:

Is this government going to have one person in power? If so, I want to be that person. A Queen! Queen Anne! No? A king?

James Madison:

Oh NO, we are not going down that road again. The plan is to have three branches of government – Executive, Judicial, and Legislative - with specific jobs.

The power of the executive branch is vested in the President, who also serves as Commander in Chief of the Armed Forces. The President appoints the Cabinet and oversees the various agencies and departments of the federal government.

The Judiciary or The Judicial Branch is made up of The Supreme Court, and such inferior courts as the Congress may from time to time establish.

The Legislative branch of the government is by far the most numerous. Its power is in the Congress, which is made up of two parts – the Senate and the House of Representatives.

Barmaid:

All men. That sounds complicated.

James Madison:

The reason to make each separate part of the government independent, because in order for them to govern properly it becomes necessary for each of the branches to agree, or at the very least, to compromise, so as to make decisions that are able to more greatly benefit the country as a whole. Some of us are calling this the system of checks and balances – no one branch is more powerful than another branch.

**XF to Stage Right to Modern Day Coffeehouse**

College Student:



I have never really understood why we need to have the three branches of government.

Waitress:

It's all about the checks and balances – no one branch is more powerful than another branch, and they all have to come together to run the country.

For instance, say you wanted to make a law that said that all 5<sup>th</sup> graders had to eat ice cream for lunch every day. You wrote to your congressman and they thought it was a great idea, so he took it to the House of Representatives. They voted on it and it was passed. Then the same thing happened in the Senate.

Then it goes on to the President to be signed into law, but he realizes that it would be terribly unhealthy and refuses to sign it.

So, it goes back to the House of Representatives, and they insist it's a good idea (yay, ice cream!). They pass it again, and so does the Senate and it becomes a law.

But then to everyone's dismay, the Supreme Court rules that it's unconstitutional. They repeal the law and ice cream goes back to being nothing more than a yummy treat.

It takes a lot of work to keep up with what should and shouldn't be a law. That's why there are so many checks and balances.

College Student:

So each branch makes sure that one branch does not go on a tangent and completely change what we view as America – life, liberty, and the pursuit of happiness.

Waitress:

That's right. But really, making every 5<sup>th</sup> grade eat ice cream at school would be a state issue and not a federal one.

College Student:

Yeah, education is a state issue, such as police power. The federal government only has the power that the Constitution granted it – Make Coins, to establish the Post Office, To Declare War, and to protect inventions and books by patents and copyright laws among other jobs stated in the Constitution to that is "*necessary and proper*" to complete the objectives of the Federal Government as stated in the Constitution.

Waitress:

All other powers can be said to be a state issue. But that idea itself can be very scary. In fact, we had a war over what people thought was a state's rights issue, the Civil War. Some people said that owning other people should be up to the states.

College Student:

There are some things that just because they were not stated in the Constitution, I think the federal government should have the power to regulate – like Pollution. I do not think that the Founding Fathers could think that we would drive without a horse and have big plants that produced our clothes and the pollution in the air and water probably does not know about our state boundaries.

Waitress:

Yes, the government can look at situations like those and see if they fall under the guidance of the stated powers in the Constitution. You know, most of the programs we associate with the federal government came about from the Great Depression and the vision of President Franklin D. Roosevelt. It was called The New Deal. Before that, we didn't have the big national parks and highways that we have now. It also made sure that banks are insured for failure, that people can get housing under FHA, and that older people are able to have money when they retire due to the Social Security System.

College Student:

So just because the Constitution has a list that does not mean that we take that list literally, but as a guide of jobs that we would like to have our government complete and if there is something that comes about that would not have been thought of in 1787, we can look at the Constitution for guidance on how to handle it.

Waitress:

That's right. (or possibly – now you're getting it)

**XF to Stage Left** to Colonial Tavern

Barmaid:

I heard a Virginia gentleman, Mr. George Mason, wanted something called a Bill of Rights attached to the Constitution.

James Madison:

Yes, but the proposal was defeated. So we are sending the Constitution to the states to be ratified and then we will probably work on another compromise. Do you know that George Mason would not even sign the Constitution because a bill of rights was not attached?

Barmaid:

WOW, to work from May until September and decide not to put your name on it! That Bill of Rights must be very important to him. What do you think?

James Madison:

I really do not want it.

Barmaid:

Why Not?

James Madison:

Because once you start listing the rights people might think that is all the rights a person has and the government has full reign on everything else.

Barmaid:

So why are you going to be the one introducing the amendments to the Constitution, which will be known as the Bill of Rights?

James Madison:

Because some of them think that we need to protect the rights of all citizens, residents and visitors on United States territory, by limiting the powers of the Federal government of the United States and the Virginia Declaration of Rights included many of the ideas that they want in the Bill of Rights. Since I wrote the Virginia Declaration of Rights, they think I should right the amendments to the constitution that could become the Bill of Rights.

### **XF to Stage Right: Modern Day Coffeehouse**

College Student:

Did you know that 12 amendments to the Constitution were proposed in the First Congressional meeting in 1787? That was quick to realize that they missed something in the original Constitution.

Waitress:

Yes, that was when they proposed the Bill of Rights, but I thought it only had 10 amendments?

College Student:

It does. Two of the amendments were not passed at that time – the first one was setting the limit of Representatives to a set number of people and the other saying that Congress cannot raise their paycheck unless they were in session, which became our 27<sup>th</sup> amendment.

Waitress:

And now we have a total of 27 amendments. So one third were added in just a few years. Must have been a lot of people that wanted those in the first place! How'd they get them so fast?

College Student:

It says here (pointing to book) that different groups named the Federalist and Anti-Federalist, wrote articles that were published in the newspapers.

Waitress:

So the creators of the government used the press to help get freedom of the press. That's funny.

### **XF to Stage Left to Colonial Tavern**

James Madison:

Have you read the Virginia Declaration of Rights?

Barmaid:

Oh, no sir, though I hear enough about it. It talks about rights every man has, and gives a list of actions that the government cannot do against the people. Suppose it also says there are rights aside from those on the list?

James Madison:

No, but that is a good idea. I strongly believe in the freedom of the press, since that is how I was able to educate the public about why we needed the Constitution, but there are some that are worried that if we give the Government a list it will think those are the only rights the people have against actions of the Government.

Barmaid:

Whatever it takes to overcome how King George treated us here in the colonies! I think that Bill of Rights for the people might work, particularly with those checks and balances you spoke about. We need the Freedom to speak up about and against the government without fear and that should be done through the press and by speaking to others. I would hate to be in prison because I told someone that I disliked how the Government was doing something, and the people will need to assemble as a group so they could talk about their beliefs and needs for change. I hear too much, I know too much. I talk too much. Without that Bill of Rights, I'd end up Queen Anne, Barmaid, behind bars!

### **XF to Stage Right: to Modern Day Coffeehouse**

College Student:

Did you know that the Government cannot pass a law that requires newspapers to publish information against their will, impose criminal penalties, or civil damages, on the publication of truthful information about a matter of public concern or even on the dissemination of false and damaging information about a public person except in rare instances, impose taxes on the press that it does not levy on other businesses, compel journalists to reveal, in most circumstances, the identities of their sources, or prohibit the press from attending judicial proceedings and thereafter informing the public about them.

Waitress:

Yes, the Founding Fathers felt so strongly about freedom of the press, that they didn't even want the newspapers to pay postage. Imagine the money the government would be losing if that were still in place. At least now we have internet, which allows people to voice their opinion without much cost.

College Student:

You cannot talk about Freedom of Press without talking about Freedom of Speech. The Supreme Court which is the branch that interprets the Constitution started looking at cases about the Freedom of Speech only in the 1920's.

Before that we had three Acts that the Legislature and Executive passed to punish people talking bad about the Legislature and Executive branch, but the Supreme Court did not look at the Acts to see if they were constitutional. Most scholars say that the Acts were unconstitutional, but we need the Supreme Court to decide that since they interpret the Constitution while the Legislature makes the laws and the Executive enforces the laws.

Waitress:

One of those Acts was used to imprison a PRESIDENTIAL CANDIDATE for protesting the US involvement in World War I. He was convicted and sentenced to ten years in prison and the loss of his citizenship. He was later released from prison when the Acts were repealed.

College Student:

That would be like putting Barack Obama and John McCain in jail for their views on the IRAQ war when it started. So when did the view of First Amendment change to include political thoughts?

Waitress:

In 1969, the Supreme Court said that the government can't punish inflammatory speech unless it meets very strict criteria. For instance, you can't yell "FIRE" in a crowded theatre because it would cause imminent harm, but you can wear armbands showing your views about the war. A girl named Mary Beth Tinker did that during the Vietnam War. Her case went all the way to the Supreme Court, who said that the school couldn't censor student expression unless they could reasonably say that the expression would create a substantial disruption of school activities, or invade the rights of others.

College Student:

So I can wear and say anything I want especially in school that is great.

Waitress:

Not exactly. You can't use vulgar or lewd speech, and the school can restrict school-sponsored speech. You also can't promote illegal drug use, even if the speech took place off-campus on a public street across from school.

College Student:

What I get from those cases is that you do not have an absolute right to free speech, but you have rights within logical boundaries set by the Supreme Court within case law.

Waitress:

Remember the Supreme Court interprets the Constitution, but did you see that the Acts that were made in the early 1900's were repealed without the help of the Supreme Court.

College Student:

Yes, I did. The Legislature could repeal Acts they passed earlier if they decide it was not a good idea or some may just expire on its own. So why is the Freedom of Assembly so important?

Waitress:

It has to do with Freedom to Redress. That means you can tell the government how you feel about them and ask them to change their ways. The right to assemble means you and a group of friends can get together to tell the Government how the whole group thinks. So they tie in with the freedoms of press and speech.

College Student:

Ok, so let's say I have a problem with Government – like I really wanted the Ice Cream bill to pass, but it had already been vetoed by the President. I went to the Government and petitioned for Redress. Other students heard about it and we started to act together or assemble. We decided to get

organized and held speeches and used the press to tell more people about our views that ice cream should be served at every lunch, but the president was firmly against ice cream. Some say it was due to him owning the patent on soft serve yogurt and the bill only requires ice cream. The First Amendment restricts the Government from putting us in jail until they can brush the bill under the rug or pass another bill by outlawing all ice cream.

Waitress:

You're starting to get it. But there are six important ideas in the First Amendment..

College Student:

Five – I know about the Freedom of the Press, the Freedom of Speech, the Freedom of Assemble, the Freedom of Redress, oh, and the Freedom of Religion... So, what is the other?

Waitress:

Freedom from Establishment is the other one. It goes with the freedom of religion and assembly.

College Student:

Our teacher said that the Founding Fathers had many different religions, many of the states had set religions, and the King of England required the people to practice only one religion. That would be weird to live in country that required you to practice one religion. He said that most people in the Colonies came over with other people of similar views and they moved to the same area.

Waitress:

Some colonies required everyone to be a part of a certain religion, but Rhode Island had Jewish, Baptist, and other religious places. The Founding Fathers didn't want the government to establish a national religion; they wanted everyone to be able to choose their own religion, or no religion at all. Imagine living in a state just because they allowed your religion, or worse, what if they didn't? There are many countries still where people are killed or imprisoned because of their religion.

College Student:

I think the Founding Fathers knew that religion is a very private matter and left it up to each person to decide on their own. That was very smart.

Waitress:

It was.

**XF to Stage Left: to Colonial Tavern**

Barmaid:

So what are you going to do about the government putting people in prison without a good reason?

James Madison:

That is a good question. We started reading up on our history and found several other Charters that have been used in the past to keep the government, namely the king, from putting people away without cause. The Magna Carta was written in 1215 to restrict the King from imprisoning his citizens without a trial, and the Bill of Rights of 1689 in England forbid the King to establish his own courts or to act as a judge by himself, restricted cruel and unusual punishments, and excessive bail, as well as freedom from fines and forfeitures without trial.

Barmaid:

Will the Bill of Rights make it so they have to have a trial?

James Madison:

Yes, those are other rights that we are looking into adding, because we do not want the government to think they can just go into your home without a reason and deprive you of life, liberty, or property without due process.

### **XF to Stage Right: to Modern Day Coffeehouse**

Waitress:

Did you know that John Adams represented the British soldiers of the Boston Massacre at their jury trial?

College Student:

Yes, even though he was afraid it would hurt his reputation. He believed that everyone should have the right to an attorney no matter how bad the crime. That was brave, but probably one reason we have the right to an attorney and a trial by jury listed in the Bill of Rights.

Waitress:

But until the 1960's those rights only applied to federal cases. That's when the Supreme Court said that the 14<sup>th</sup> amendment, which prevents the states from depriving you of life, liberty, or property without due process, extended those rights to actions from the state.

College Student:

That was only 40 -50 years ago. WOW. Here is a list of the cases that were decided during that time. It says that in 1963, a prisoner named Gideon wrote his own appeal that went up to the Supreme Court saying



that the court should have appointed him an attorney for his trial. He asked for an attorney, but the state law only allowed an appointed attorney in capital cases- that is when the state wants to execute, kill. Not knowing the process or the law, Gideon was sentenced to prison. The Supreme Court said that was not fair – just because he did not do a federal crime he was not allowed an attorney, unless he could afford it. Now you have the right to an attorney in all criminal cases.

Waitress:

Many people thought it was already a right for everyone. It is in the Bill of Rights. Oh! Miranda! “You have the right to remain silent, anything you say or do can be used against you in a court of law. You have the right to an attorney. If you cannot afford an attorney, one can be appointed for you.”

College Student:

Miranda v. Arizona, which was actually 4 cases put together, was decided after Gideon, but it includes the right to attorney. Oh, the case actually looked at the right against self-incrimination. You do not need to say anything to the police, because if you do say something they could use at your trial. It just means that you do not need to help the police in putting you behind bars. But what about all those cop shows that the people confess to the crime?

Waitress:

It doesn't mean you can't confess to a crime. Just that you don't HAVE to confess to a crime, or give the police any help. Miranda didn't know he could be quiet. A policeman is a respected person and when they ask a question, most people will answer them. But if you are charged with a crime, you don't need to.

College Student:

So you can have your attorney talk to the police and if you cannot afford an attorney one can be hired for you. That is understandable. I went to traffic court and it had too many procedures and rules; I would hate to see how much a criminal attorney would need to know to just keep the playing field even. Here is an interesting fact - Miranda still went to prison - The police had other evidence that was independent of the confession, and when Miranda was tried a second time, he was convicted again. But at least it was a fair trial.

Waitress:

And in 1961, the Supreme Court said that evidence from a search without a warrant can't be used at trial. Search and Seizure is very tricky. Your home is very private, so it's very hard for the police to search your home.

Your car is less private, so it's easier, but they still MUST have probable cause.

College Student:

It is amazing to know how many of my friends have been searched because they consented to the search. Most people do not understand that the police must have at least a reasonable suspicion that a crime is afoot to pursue and probable cause for a search, unless you say yes to the search.

Waitress:

Did you know that the right to a trial by jury in state crimes didn't come about until 1962? The idea of a jury trial comes from Islamic law. They used twelve neighbors who were bound to truth and it required a unanimous verdict based on the facts of the case.

College Student:

That sounds like how we do a jury trial in America. So the laws of the world are very closely related to each other. That must mean that as people moved around the world they learned from learn from each other.

### **XF to Stage Left: to Colonial Tavern**

Barmaid:

I hear that in the Constitution you did not address who could vote – Who is going to decide who gets to vote? Will I get to vote – a woman? That would be great. I heard a woman named Lydia Chapin Taft was able to vote in three (use fingers) New England Town meetings in 1756.

James Madison:

Who gets to vote is up to the states. If the state wants certain people to vote or not to vote, they can decide. The only entity that the people can directly vote on is the House of Representatives, which is being called the Great Compromise designed by Roger Sherman. The Senate is voted on by the **state Legislature** and the Supreme Court is appointed by the President. The President and Vice-President are voted on by the Electors, who are chosen in accordance of the STATE Legislature. If the State would like for the people to vote for the Electors they can, but they do not have to do it that way.

Barmaid:

So we will have a Bill of Rights that restricts government suppression and a Constitution that tells us how the government will be run, but most of us will not be able to tell the government what we would like it to do.

James Madison:

Well if you do not like it, change it. You can always get an amendment to the Constitution passed or change how your state allows you to vote.

Barmaid:

I might just do that. I just might do that. It's going to be a little hard without a vote! You know, we clean up after them, we cook for them, we birth them, but no vote!

James Madison:

Anne, can I get another muffin?

Barmaid:

Certainly, Mr Madison. (throws muffin at him) Oh, oh, so  
So sorry Mr Madison. (pick up the muffine and dusts it off)  
That was the last one too. **(Places the muffin in desk and then Exits stage left)**

### **Bump: Stage Right Modern Day Coffeehouse**

Waitress:

Did you know the originally, according to the Constitution, the House of Representatives were the only entity that the people voted directly into office? Until 1913, when they could vote for Senators. But even today, the people don't actually vote for the President of Vice-President. On election day, you are actually voting to tell the electors how you would like the to vote. The states get to decide the procedure for voting and electing the electors.

College Student:

That sounds like the Founding Fathers really did not want the people to have a say.

Waitress:

Well, they only wanted the right people to have a say. That meant only white males over the age of 21 that owned property. America has evolved since then and there have been amendments that allow require certain people to vote, and that the process to vote must be fair and equal.

College Student:

It says here, that in 1870, African American males were allowed to vote due to the 15<sup>th</sup> Amendment, but through the Jim Crow laws they lost the right to vote based on the state's ability to design the voting process. What are Jim Crow laws?

Waitress:

Those laws were actually designed by the states to discourage African Americans by setting up a completely different system for them to live under. Separate public schools, hospitals, transportation, restroom, and even restaurants. The idea was separate, but equal.

College Student:

How can you be equal when you are separated by so much?

Waitress:

That was the point. They couldn't vote until they started speaking up by marching. Martin Luther King Jr. marched on Washington DC August 28<sup>th</sup>, 1963 and gave the "I Have A Dream" speech. And a lot of other marches followed. Alabama, people tried to march peacefully to register to vote, but the police tried to stop them. The march didn't fix the problem, so they planned a bigger march from Selma to Montgomery, Alabama. It was called a demonstration. But the state troopers met the demonstrators at the edge of the city, and that day became known as "Bloody Sunday"

College Student:

Why were the people marching?

Waitress:

Because in Selma, African Americans were about half the population, but only two percent could vote. Discrimination and intimidation kept them from registering and voting. So they marched to demand fairness. The images of Bloody Sunday upset people all over the country, and demonstrations were held in 80 cities to support the marchers. Many religious and lay leaders flew to Selma, including MLK, who was finally able to lead a peaceful march to Montgomery. These events led Congress to pass the Voting Rights Act of 1965.

College Student:

It says here, that another Amendment that helped give African Americans and poor people the right to vote was the 24<sup>th</sup> Amendment. What is a poll tax?

Waitress:

A poll tax means that even if you meet all the other requirements to vote, you still have to pay a fee to use that right.

College Student:

That does not seem fair. You have the right to vote, but you must pay for it. Were there any other sneaky things that government did to restrict people to vote?

Waitress:

Oh yes, but in the 1950's most of the laws were found unconstitutional.

College Student:

So what about women – When did they get the right to vote?

Waitress:

Well, a woman did vote in 1759, and several states allowed women to vote in local elections, there were technically unable to vote until 1920, when the 19<sup>th</sup> amendment was passed. Ever hear of Susan B Anthony?

College Student:

She is on the one dollar coin, right! I think it has to with the Suffrage movement. What was that?

Waitress:

In 1872 Susan B Anthony and 15 other women were arrested when they tried to vote in a national election. Her trial got a lot of attention, with women traveling all over the country to talk about voting rights. But she was never allowed to vote. She died before the amendment ever passed.

College Student:

Yes, No telling how long it would have been if she did not fight so hard for the right to vote. (Look down at book) This is interesting - Native Americans had to get an Act through Congress to obtain the right to vote in 1927, and the 26<sup>th</sup> Amendment gave the right to vote to 18 year olds.

Waitress:

Now only people under the age of 18 can't vote, and some states don't allow people in prison or who have been in prison to vote. Boy have we come a long way!

College Student:

Do you vote?

Waitress:

Oh yes, I try to keep up with politics. How about you?

College Student:

Oh no, it is too hard. You need to register and then go down on a certain day to vote, but before you vote you need to find out whom or what to vote.

Waitress:

Your vote is the only say you have in this government. All three branches are there because you voted, or because you \*didn't\* vote!

## **BUMP:Stage Left Colonial Tavern**

James Madison:

Do you think people will take the time to keep the democratic republic we established?

Barmaid:

I hope so, but it is up to the people to keep it going. I heard Mrs. Powell asked Mr. Franklin, "Well, Doctor, what do we have, a republic or a monarchy?" And he replied, "A republic, if you can keep it."

James Madison:

He also said that "Our Constitution is in actual operation; everything appears to promise that it will last; but in this world nothing is certain but death and taxes."

## **Black out**

### **Up spots center stage:**

Narrator: So now we have the US Constitution! Because George Washington, James Madison, and a group of individuals believed that we needed a lasting government. So, they wrote it! Partly because Abraham Lincoln believed that we needed to keep our country whole, the Constitution was amended to allow black people to vote. Because of the people involved in the Women's Suffrage movement, it was amended again to allow women to vote. And because of the belief of people all over this country, we still have a Constitution.

So during this school year, you will learn a lot about our Constitution. Be sure to pay attention and learn what it is, and what it means; because sometime, it might be you who has to stand up for your rights, or the rights of someone else. And how can you do that if you don't know what your rights are?

Thank you all for coming!

## **TBO**

**Up Stage Lights:** Actors bow.

## **Up House Lights**

THE END