

Benchmark: 3 a

**'Nor shall private property be taken for public use without just compensation.'**

**Amendment V  
United States Constitution**

**Brief Constructed Response Prompt:** Why might our forefathers have made sure that this was stated in the Constitution? Use an example to support your answer.

**Possible Response(s):** Students may offer a variety of plausible responses.

The men who wrote the Constitution realized that there might be certain situations in which the common good would be served only by taking away private property from some individuals (e.g. to build a road or hospital). They wanted to limit the power of government, make sure that citizens would be treated as fairly as possible in these situations, and be compensated for their property.

**Rubric**

- 2** = This response gives a valid answer with an accurate and relevant explanation.  
**1** = This response gives a valid answer with an inaccurate, irrelevant, or no explanation.  
**0** = inaccurate or no response