

# The Bill of Rights

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- **First Amendment:** 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.
- **Second Amendment:** 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.
- **Third Amendment:** 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.
- **Fourth Amendment:** 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.
- **Fifth Amendment:** 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.
- **Sixth Amendment:** 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.
- **Seventh Amendment:** 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.
- **Eighth Amendment:** Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.
- **Ninth Amendment:** The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.
- **Tenth Amendment:** 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.

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# The Bill of Rights: Explained

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## *Amendment I*

The first amendment is the most important of the bill of rights. There are five different, yet very important parts to this amendment: Freedom of Speech, Freedom of Religion, Freedom of Press, Freedom of Expression, and Freedom of Assembly. Today, courts and citizens must consider many challenging first amendment issues.

### *Freedom of Religion*

Freedom of Religion enters into discussions of school prayer, tax credits for church properties, and the right of parents to make choices about their children's education in public or church schools.

#### *Court Cases for Freedom of Religion:*

Everson vs. Board of Education (1947)

Engel vs. Vitale (1962)

### *Freedom of Speech*

Freedom of Speech also plays a major role in our constitution. This right is what gives us the right to speak our minds about anything without using violence, or vulgar language.

#### *Court Cases for Freedom of Speech:*

John vs. Texas (1989)

### *Freedom of the Press*

This section gives the right to print ideas so that people can reach others. It also keeps the citizens aware of the governments actions. Without this right the public would have to rely on other sources to keep them informed of the action taken not only by the national government, but local government as well.

#### *Court Cases for Freedom of Press:*

Near vs. Minnesota (1931)

### *Freedom of Assembly*

This freedom gives the right that citizens can hold meetings and form and join associations to keep the government aware of all actions. Also, it give citizens the right to meet and discuss what problems they may have as long as it is in a peaceful manor.

#### *Court Cases for Freedom of Assembly:*

NAACP vs. Alabama

### *Freedom of Petition*

This freedom gives you the right to to contact your government representative and ask them to work for the passage of laws. You can also have them to change laws you do not like. This also lets the government know what the citizens think and how to improve those who are unsatisfied.

## *Amendment II*

The second amendment involves the question of who can bear Arms? It simply states that the states have the right to a militia i.e. National Guard is guaranteed. The right of citizens to keep weapons to resist any harm is also protected.

## *Amendment III*

The purpose of this amendment is that while soldiers were at war and they needed a place to stay, they had the right given to them by the government to stay at any citizens house they wanted to for shelter. After the war, many questions were asked about why these soldiers were allowed to stay in the citizens homes. There is no future to this because of the Treaty of Peace put an end to quartering soldiers.

## *Amendment IV*

In this amendment the Supreme Court has the power of judicial review. The Supreme Court can review laws passed by the legislatures and decide whether or not the law is constitutional or unconstitutional.

### *Amendment V*

This Amendment is one of the more most well-known in the Bill of Rights. It protects people against self-incrimination, and from potential excess of law enforcement. This entitles people to a hearing before a grand jury. Also, it provides first principles for criminal legal procedure involving Americans; known as "Miranda rights."

### *Amendment VI*

This amendment gives important rights to persons (before trial), accused of a crime, there are barriers between citizens and government. An example of such would be trial by jury.

### *Amendment VII*

This Amendment protects the rights of citizens in civil cases; guarantees right to a trial by jury, which every person has access to civil courts to settle cases.

### *Amendment VIII*

**This amendment simply states that bail, fines, and punishments must not be unreasonable.**

### *Amendment IX*

The Ninth Amendment states that the rights of the American people go beyond those listed in the Bill of Rights. The listing of rights in the Constitution does not mean to deny other rights to the people-rights that may not be listed. Some people claim that this amendment goes even farther than covering such unlisted rights as the right to privacy and freedom of association. It has been said that it supports such broad rights as the right to education, employment, housing, income, and medial care.

### *Amendment X*

Last but not least, the Tenth Amendment is different from the other amendments in several ways. First, it speaks about powers rather than rights. A power involves both a right and the ability. A right is a privilege that belongs to a person. The tenth Amendment is also the only one that renders to the Federal Government, the states, and the citizens. In reserve to the states, or to the people themselves, any powers neither delegated to the Federal Government nor specifically prohibited to the states by the Constitution.