

The Bill Of Rights

Chapter 4 Section 1

Pages 89-95

Bill of Rights

- While writing the constitution congress discussed more than 100 proposals for amendments
- 12 were presented to the states
- 10 were passed
- These first 10 amendments are known as the **Bill of Rights**- First 10 amendments to the constitution

Freedom of Religion

- Americans have the right to practice and religion- or no religion at all
- It forbids congress from establishing and official national religion (like the church of England) or favoring (like funding) any particular denomination
- **Separation of Church and State-** there should be a strict division between religion and government

Freedom of Speech

- The right to express ideas and opinions through speech
- Also includes freedom to listen to others ideas and opinions
- Does not protect from:
 - **Slander**- knowingly making false statements that hurt another's reputation
 - Any speech that directly causes physical harm to another person

Freedom of the Press

- The right to express ideas in writing
- Courts have ruled that freedom of the press applies to electronic media as well
- Freedom of the press does not protect anyone's right to engage in **libel**- the act of publishing falsehoods that damage a persons reputation

Freedom of Assembly

- Freedom to hold meetings
- People have the rights to gather to discuss problems, plan actions, or discuss issues important to them
- All meetings must be peaceful (no one should get hurt)

Freedom of Petition

- Right to ask the government to do something or to stop doing something
- A petition is a formal request
- Guarantees your right to contact your representatives in congress and ask them to pass laws in your favor

Rights and Responsibilities

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1st amendment

- The first amendment of the constitution protects Americans 5 basic freedoms:
 - Religion
 - Speech
 - Petition
 - Assembly
 - Press

The 2nd amendment:

- The second amendment of the constitution protects Americans right to bear arms
- This amendment was written because at the time militias (small private armies) were being formed to help protect the united states from its enemies
- Today many Americans feel that it is still their right to poses fire arms for their own protection and sport

The debate

We should have guns

- The second amendment prevents the federal government from passing laws that would limit Americans right to bear arms

We should not have guns

- Stricter regulations on the distribution of guns could lower the crime rate

The 3rd amendment:

- The third amendment of the constitution makes it illegal for the government to force citizens to quarter soldiers
- During the time of the American revolution the British government forced some colonists to give food, clothing, and shelter to their soldiers

The 4th amendment:

- The 4th amendment protects people from unreasonable searches and seizures
- Unless there is just cause a person or their property can not be searched or taken from us
- A search is considered reasonable if a judge has issued a **search warrant**- *legal document that describes the things that can be searched and taken*
- The constitution does not give us the right to privacy, however the idea of protection of privacy falls under the 4th amendment

The 5th amendment:

- The fifth amendment protects people who have been accused of a crime
- Before a person can be brought to trial a **grand jury** must **indict** them (formally accuse them of a crime)
- Protects people from forced **self incrimination**- having to testify against oneself
- Protects people from **double jeopardy**- being tried twice for the same crime

Due Process of Law

- The 5th amendment also guarantees that no person can be denied life, liberty, or property without **due process of law**- a person can not be punished for a crime until the law has been fairly applied to his or her case
- The last clause deals with private ownership of property: the federal government is not allowed to take property unless it is for public use, this is called **eminent domain**- in such a case the government must pay the owner a fair price

The 6th amendment:

- The 6th amendment guarantees a person accused of a crime the right to:
 - A prompt and speedy trial
 - Be informed of the crimes they are being accused of
 - To hear and question all witnesses against them
 - To call their own witness to court

The 7th and 8th amendment:

- The 7th amendment guarantees people the right to a trial by jury in cases that involve money or property
- The 8th amendment prevents the courts from setting bail that is too high
 - **Bail** is the money or property that a person gives a court to hold and serves as a guarantee that they will return for trial
- The 8th amendment also forbids “cruel and unusual punishment”

The 9th and 10th amendments

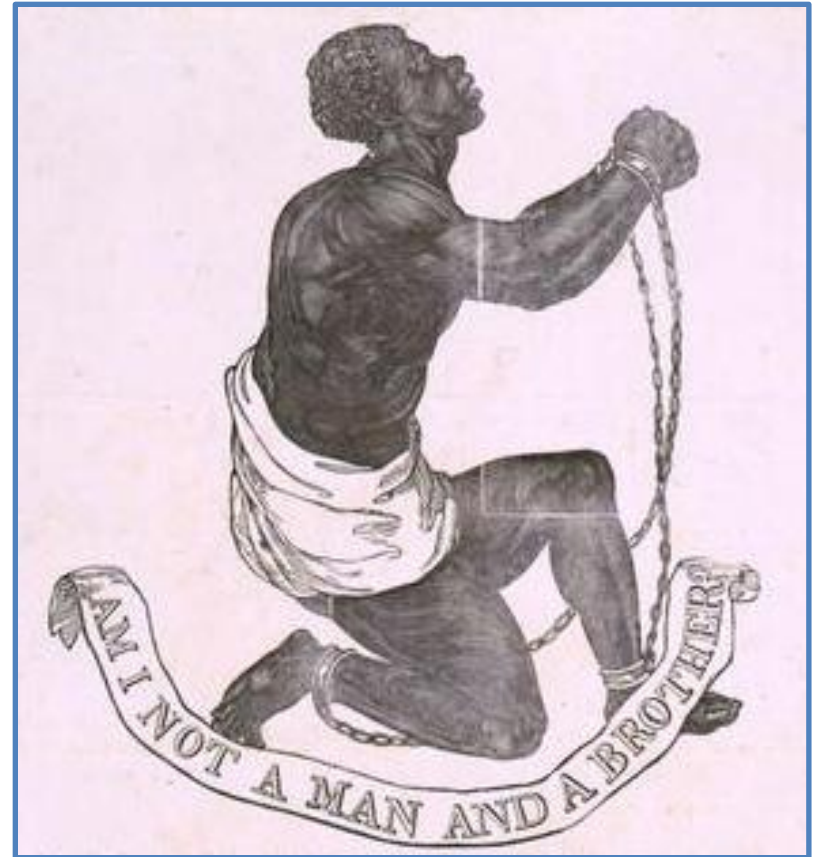
- The 9th amendment implies that people enjoy many other rights and freedoms not mentioned in the bill of rights.
- This was put in place so the constitution would not limit people's ability to pursue happiness
- The 10th amendment states that all powers not expressed to the federal government are reserved to the states or the people

Guaranteeing Others Rights

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13th amendment

- Ratified in 1865
- Outlawed slavery in the United States
- Many people think the Emancipation Proclamation freed the slaves, in reality it was the 13th amendment that gave them their freedom

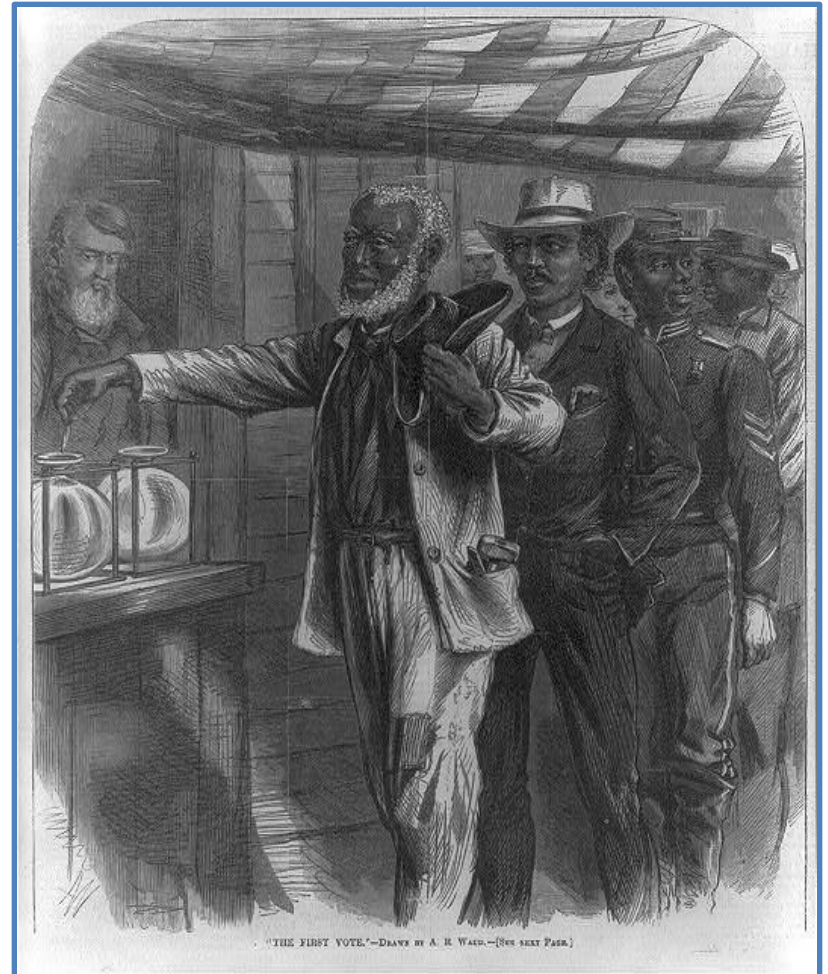


14th Amendment

- Ratified in 1868
- Protects people from unfair actions by the United States government
- Although it was created to protect the rights of African Americans, it includes equal protection for **EVERYONE**
 - The first part gave citizenship to African Americans
 - The second guarantees everyone equal protection under the law

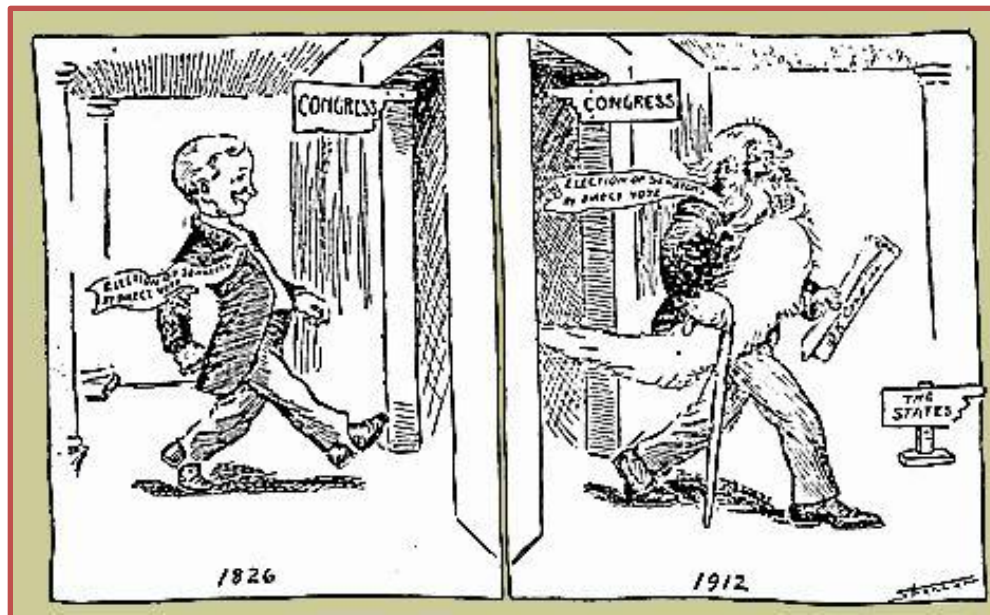
15th amendment

- Gave African Americans suffrage (the right to vote)
- However, many states passed laws to make it more difficult for them to vote
- In the 1960's congress passed the civil rights act making the right to vote fully equal for everyone



17th amendment

- Allows people of a state to elect their own senators
- Prior to this law senators were appointed, and people did not feel that their interests were being represented



19th amendment

- Ratified in 1920
- Gave women the right to vote
- This is often times called the women rights movement or suffrage
 - Suffrage means having the right to vote



23rd amendment

- Gave citizens of the District of Columbia the right to vote for president and vice president
- Before this it was believed that because they lived in the nations capitol, their vote may be bias

24th amendment

- Outlawed the use of poll tax
- Poll tax- a fee you must pay to vote
- It was believed that these taxes were put in place to discourage minority and poor voters

26th amendment

- The 26th amendment was passed in 1971
- During Vietnam the military was drafting men ages 18 and up
- It was believed that it was wrong to force someone to fight in a war if they could not vote for the president
- The 26th amendment lowered the voting age from 21 to 18

