

The Bill of Rights

Part One: Read the Expert Information and highlight the main ideas and supporting details.

Expert Information:

The Anti-Federalists strongly argued against the ratification of the Constitution because it did not have a bill of rights. They believed that without a protection of individual liberties, the national government would be too strong. Although the Anti-Federalist presented powerful arguments against ratification of the Constitution, three-fourths of the states did ratify the Constitution by December 17, 1787. When the First Congress met in 1789, the omission of a bill of rights in the Constitution was thought to be a mistake by many of the representatives. James Madison agreed and wrote a Bill of Rights as amendments to the Constitution. The idea to ensure individual rights and freedoms was borrowed from George Mason who earned the title of the "Father of the Bill of Rights." After debate in Congress, the proposed amendments were sent to the states for approval. Once ratified on December 15, 1791, the **Bill of Rights** was officially added to the Constitution as the first ten amendments.

The **First Amendment** to the Constitution lists five basic freedoms: **religion, speech, press, assembly, and petition.**

Amendment I: 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.

The **Second Amendment** to the Constitution gives citizens the **right to bear arms.**

Amendment II: 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.

The **Third Amendment**, states that citizens are not required to **provide housing for soldiers**

Amendment III: 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.

The **Fourth Amendment** provided for the **privacy of people and their belongings.**

Amendment IV: 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.

The **Fifth Amendment** is the longest amendment in the Bill of Rights. It describes **due process of law** and states five important **rights of citizens involved in the justice system**.

Amendment V: 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 offense 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.

1. People accused of serious crimes have the right to a grand jury hearing. A grand jury is a group of citizens who hear the evidence and decide whether it should go to court. If so the grand jury issues an indictment (formal charge).
2. Citizens are protected against double jeopardy. If a person is found not guilty of a crime, he or she can't be tried again for the same crime.
3. The police cannot force people to say things that might be used against them in a trial. This is called self-incrimination and is where the phrase "taking the fifth" can be used.
4. A person cannot be "deprived of life, liberty, or property, without due process of law." In other words, the government must follow clear rules and act reasonably in carrying out the law.
5. The government cannot take away someone's private property without compensating the person. This means the government must pay a fair price when it takes over a person's property for purposes such as building roads or parks.

The **6th Amendment** provides rights to a **speedy and fair, public trial by an impartial jury**.

Amendment VI: 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 defense.

The **7th Amendment** states people involved in a civil case have a right to a **jury trial**.

Amendment VII: 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.

The **8th Amendment** provides protection for **accused persons before and after trial** and prohibits **"excessive fines" and "cruel and unusual punishments."**

Amendment VIII: Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

The last two amendments were written to keep a balance of rights between the people, the states, and the national government.

The **9th Amendment protects the rights of people not listed in the Constitution.**

Amendment IX: The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

The **10th Amendment** was written to **protect the rights of the states.**

Amendment X: 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.

Bill of Rights Notes

First Amendment: (five parts)

Freedom of _____



Freedom of _____

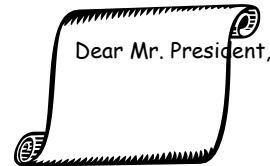


Freedom of _____

Freedom of _____

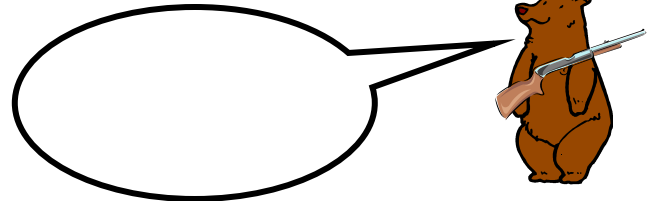


Freedom to _____



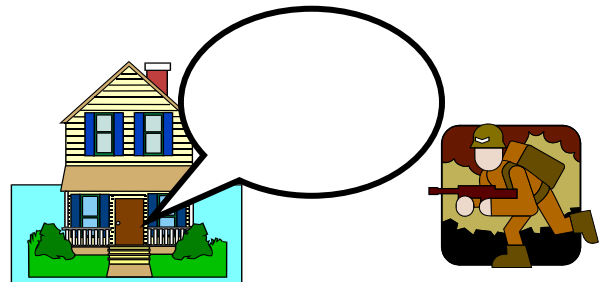
Second Amendment:

Right to _____



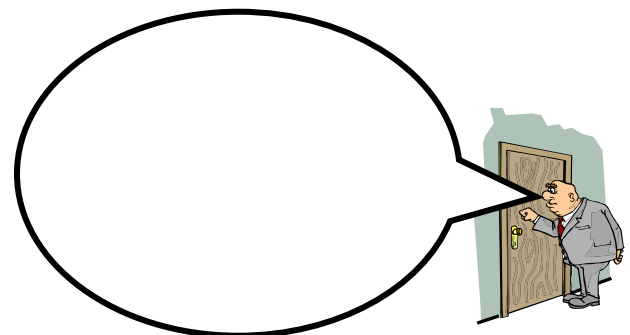
Third Amendment:

No _____



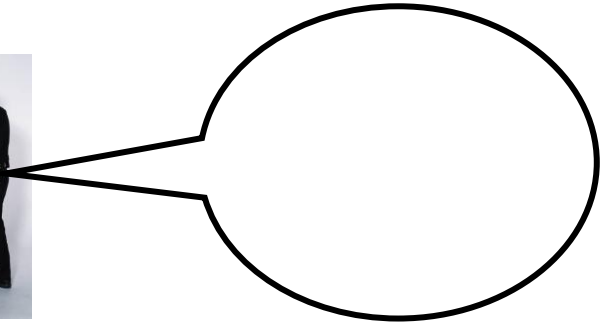
Fourth Amendment:

No _____



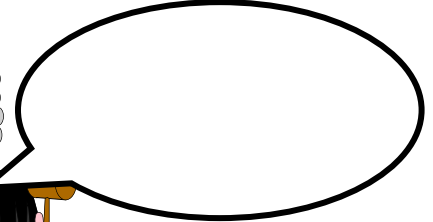
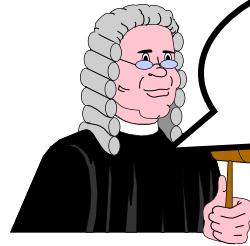
Amendment 5:

Due _____



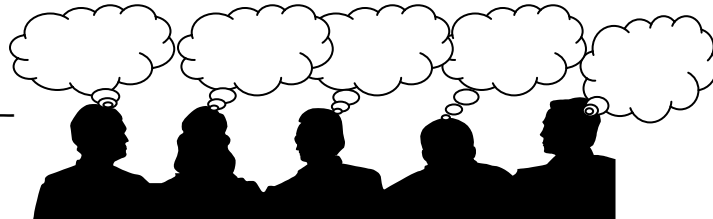
Amendment 6:

Right to a _____



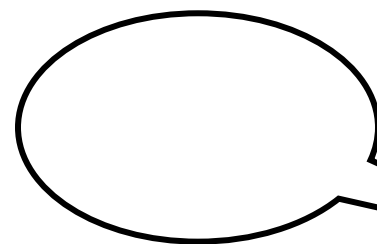
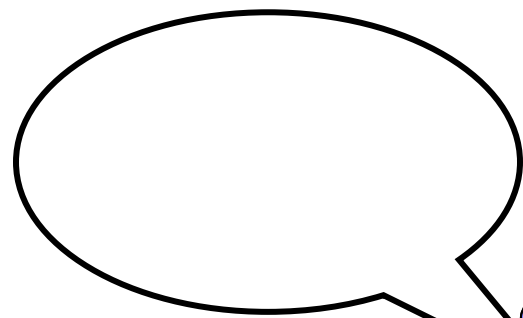
Amendment 7:

Right to a trial _____



Amendment 8:

No _____



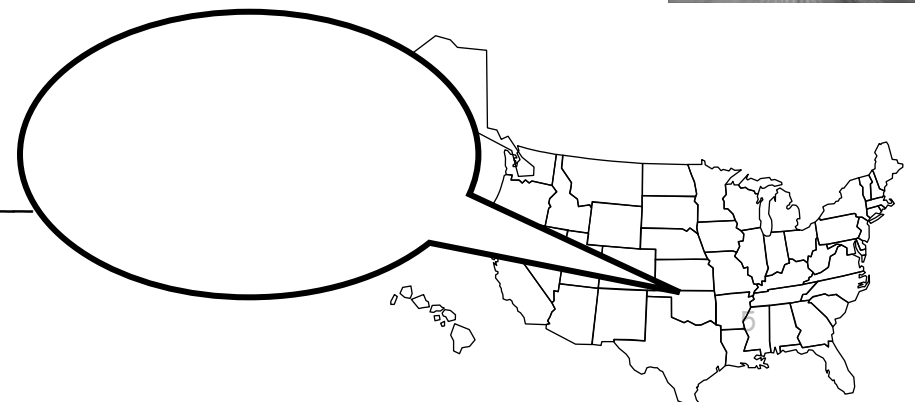
Amendment 9:

Rights of _____



Amendment 10:

Powers reserved to the _____



Bill of Rights Questions

1. Why did they include the Bill of Rights in the Constitution? _____

2. Why was George Mason called the "Father of the Bill of Rights?" _____

3. What are the first ten amendments to the Constitution called? _____



Many of the first ten amendments were written in response to rights violated before and during the American Revolution. Match the action taken by the British and/or the colonists, to one of the first ten amendments found in the Constitution. Use only the first ten amendments. There may be more than one amendment for each action.

4. The British force colonists to open their homes to British soldiers. Amendment _____.

5. The colonies form militias calling themselves Minutemen. Amendment _____

6. Colonial ships are searched for smuggled cargo without a writ of assistance. Amendment _____.

7. The King denied the colonists attempt to explain their grievances, by not accepting their Olive Branch Petition. Amendment _____.

8. Colonial protestors are jailed for speaking out against taxes. Amendment _____.

9. Colonists are jailed for long periods of time. Amendment _____.



The amendments protect the rights of the people and states today. Determine what right is being violated and what amendment protects that right.

10. A man steals a candy bar from a convenience store, and he is caught. The judge decides to fine the man \$5,000 and sentence him to one year in jail.

Right violated _____ Amendment _____

11. A newspaper is critical of the president's policy on terrorism. The president sends in the National Guard and closes down the paper.

Right violated _____ Amendment _____

12. The National Guard has been sent to a town to clean up after a tornado. The government says that everyone whose house has not been destroyed must let the National Guard soldiers stay in their homes.

Right violated _____ Amendment _____

13. The government passes a law that everyone must attend church on Monday.

Right violated _____ Amendment _____

14. A person is accused of stealing a cell phone but cannot afford a lawyer. The state says the person must hire his/her own attorney or defend themselves.

Right violated _____ Amendment _____

15. A person is accused of robbing a bank and is sent directly to prison.

Right violated _____ Amendment _____

16. A student organizes a rally to support keeping the earth green and is arrested.

Right violated _____ Amendment _____

17. A woman answers the doorbell and the police demand to enter the house to search for a stolen watch. The woman refuses the search and the police enter the house anyway to search for the watch.

Right violated _____ Amendment _____

18. A college student wears a button that says, "Tests Are Not Fair." He is expelled from the university.

Right violated _____ Amendment _____

19. Your neighbor is working in his/her yard and cuts down a tree that falls on your car and totals it. The neighbor says it wasn't his/her fault and refuses to pay for the damages. A judge denies you a trial.

Right violated _____ Amendment _____

20. The Federal government has stated that all drivers licenses must be issued in Washington D.C.

Right violated _____ Amendment _____

21. A shopper enters the mall where people are signing a petition to keep the mall open later hours. Mall security stops him from signing the petition and forces him to leave the mall.

Right violated _____ Amendment _____