

Lesson 3: Bill of Rights

The Constitution established a strong national government and the rights of the states, but there was no mention of the rights of its citizens. Some of the delegates refused to sign the Constitution until a bill of rights was written to protect the freedom and rights of the individual. It was promised that a bill of rights would be attached to the Constitution. These would be the first changes, or amendments, to the document.

James Madison proposed twelve amendments. Only ten were approved by the States. These first ten amendments to the Constitution are our Bill of Rights.

Let's look at the rights and freedoms provided by each of the amendments:

Amendment 1: Freedom of Religion, Speech and the Press: The Right to Assemble and Petition

The First Amendment might be one of the best known. It allows people to establish and practice their religion freely, and to speak their ideas and opinions. It protects the rights of its citizens to hold meetings and to petition the government. It gives the press (newspapers, magazines) the right to publish the news and ideas.

Amendment 2: The Right to Bear Arms

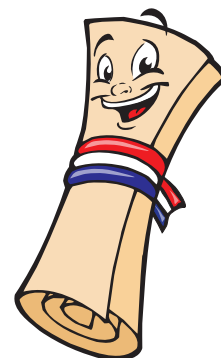
The Second Amendment gives all citizens the right to own guns. You have probably heard news stories about this recently. There has been much discussion about whether to limit the kinds of guns that can be sold. Also, many people want to require a background check for anyone purchasing a gun.

Amendment 3: Housing of Soldiers

When the colonies were ruled by England, people were forced to house soldiers in their homes. They would have to give them a place to sleep and meals. This amendment made it unlawful for a government to make a private citizen house its soldiers.

Amendment 4: Searches, Seizure and Warrants

This amendment protects people from law enforcement entering their home without their permission or an order from the court called a search warrant.



Amendment 5: Rights in Criminal Trials and the Rights of Property

Persons cannot be made to testify against themselves in a criminal trial. A person cannot be tried more than once for that same crime. People's property cannot be taken away without their being paid for it.

Amendment 6: Rights to a Fair Trial

This amendment requires a person accused of a crime to receive a speedy public trial by a jury. This did not happen in England during this time. People were held in jail for years before their trial and often the trial was held in secret.

Amendment 7: Rights in a Civil Trial

A civil case is brought by a person to get back property, to have a contract enforced, or to protect a person's rights. The Seventh Amendment allows a civil case to be decided by a jury trial when the amount of money involved is over \$20.

Amendment 8: Bail, Fines and Punishment

The Eighth Amendment does not allow for unfair bail or fines and the use of cruel or unusual punishments. The framers wanted to eliminate the use of torture on suspected criminals or as a punishment for a crime.

Amendment 9: Rights Kept by the People

Some of the delegates thought that if a right was not listed in their Bill of Rights, it might be interpreted to mean that the people did not have that right. The Ninth Amendment protects the rights people have though not listed in the Constitution.

Amendment 10: Powers Kept by the States and the People

The rights not given to the national government are rights kept by the states or the people.

Sticky Situation

It is recess time and you and your friends head out to the playground.

You approach a group of friends from another class and notice a group of boys have joined them. Teams need to be chosen for your game and one of the boys who you normally don't play with is selected as captain. This boy insists that his team has NO girls on it.

