

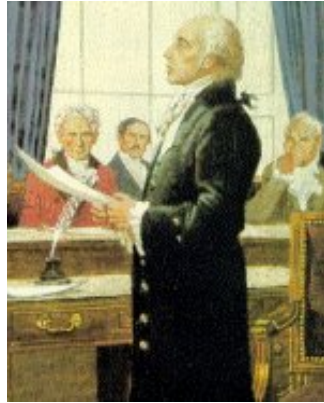
Name _____



The Bill of Rights

By Phyllis Naegeli

The Constitution had created a new central government for a new country. A system of "checks and balances" among three branches of government - legislative, executive, and judicial - would keep tyranny at bay. The people of America remembered all too well the British rule they had endured. They remembered why their ancestors had immigrated to this new land. A government was in place, but the rights of individuals had not been addressed. Delegates from Massachusetts and Maryland had voiced their concerns during the ratification of the Constitution. Now it was time for Congress to act.



James Madison was called upon to produce a list of rights. His first draft included fifteen rights, twelve of which survived the debate in the legislature. The First Congress voted to amend the Constitution on September 25, 1789. A list of twelve amendments to the Constitution was sent to the states for ratification. The first two, which applied to compensation for congressional representatives and the number of constituents they would have, were rejected. The other ten were ratified by the states, producing the Bill of Rights.

The Bill of Rights includes the following freedoms:

The First Amendment provides for freedom of religion, press, speech, and assembly; and the right to ask the government for a remedy for grievances.

The Second Amendment provides the freedom to bear arms.

The Third Amendment prohibits the government from forcing citizens to house soldiers during time of war.

The Fourth Amendment protects people from unreasonable search

and seizure, and restricts searches from being made without probable cause and a warrant.

The Fifth Amendment allows the freedom from being tried twice for the same crime when found innocent of that crime, and allows a person on trial the opportunity to abstain from testifying against him or herself. This amendment also allows the government to take private land for public use as long as fair compensation is given to the owner of the land.

The Sixth Amendment gives the people of the United States the right to a fair and speedy trial by an impartial jury. It also grants the right of counsel, to hear witness testimony, and to produce witnesses for a defense.

The Seventh Amendment provides for trial by jury for disputes with monetary value over \$20.00.

Amendment Eight prohibits the use of cruel or unusual punishment, and prohibits the demand for excessive bail or fines.

Amendment Nine prohibits other rights held by the people from being denied by the Constitution.

Finally, Amendment Ten delegates to the states or to the people those powers not granted to the government and not prohibited by the Constitution.

Since 1791, when the Bill of Rights officially became part of our Constitution, only seventeen other amendments have been added, none of which have changed the Bill of Rights. These ten amendments provide us with distinct freedoms that are an example used around the world.

Name _____



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Questions

1. What is the Bill of Rights?

2. Which states voiced their concerns about the lack of individual rights in the Constitution?

_____ 3. The First Amendment provides for freedom of:

- A. religion and assembly
- B. speech and press
- C. all of the above
- D. none of the above

4. What are the three branches of our government?

5. What does "checks and balances" mean?

_____ 6. How many amendments were included in the first draft of the Bill of Rights?

- A. fifteen
- B. twelve
- C. nine
- D. ten

7. Why did the states want the Bill of Rights?

8. Who wrote the Bill of Rights?
