

## Chapter 8: The Bill of Rights

**Amendment** : a formal change to a bill or constitution

**Bill of Rights** : a formal summary of the rights the government agrees a group of people will have

### **The First Amendment Protects Five Important Freedoms**

*The First Amendment—Freedom of Religion, Assembly, Petition, Press, and Speech*

#### **Freedom of Religion**

Freedom of religion : the ability to choose where to go to church, and which religion to believe.

#### **Freedom of Assembly**

**Assembly**: when people meet for a particular reason/cause

Freedom of assembly : the ability to meet with other people and discuss any topic you want.

#### **Freedom to Petition**

**Petition** : to write a letter to the government asking for change

Freedom of petition : to be able to tell the government what you do not like and want to see changed.

#### **Freedom of the Press**

Freedom of the press : to be able to read newspapers, watch television, and listen to the radio without the government censoring the information received.

#### **Freedom of Speech**

Freedom of speech : the government cannot stop you from speaking your mind on every issue

The **First Amendment** tells us about five freedoms we have.

Five Freedoms: **Religion**

**Assembly**

**Petition**

**Press**

**Speech**

## Rights that Resulted from British Occupation of the Colonies

### **The Second Amendment—Right to Bear Arms.**

The **Second Amendment** tells about bearing arms.

People are allowed the right to own guns as part of the state militia.

### **The Third Amendment—Housing Soldiers.**

The **Third Amendment** tells about having soldiers in your house.

People cannot be forced to house soldiers during times of peace.

## **The Bill of Rights Defines Protection Under the Law**

### **Fourth Amendment—Search and Seizure.**

The **Fourth Amendment** tells about search warrants.

Police must have a search warrant before looking for evidence in a person's house.

### **The Fifth Amendment—The Right to Remain Silent.**

The **Fifth Amendment** tells about keeping silent.

A person cannot be forced to talk about themselves to the police or in the courtroom.

### **The Fifth Amendment—Protection Against Double Jeopardy**

**Double jeopardy** : a person cannot be found guilty of a crime if they have already been found not guilty of that same crime.

**Grand jury** : group of ordinary people who listen to evidence in a courtroom to decide whether there is enough reason to conduct a trial.

### **The Sixth Amendment—Right to get an Attorney**

The **Sixth Amendment** tells about getting an attorney.

The police must tell the person being arrested that every person is allowed to have an attorney. One will be appointed for the person if they cannot afford one.

### **The Sixth Amendment—Right to a Jury Trial**

A person is allowed the help of a lawyer and heard by a jury. The person charged with the crime must be told what they were charged with and shown the evidence the government has against them.

### **The Seventh Amendment—The Right to a Jury Trial When Suing**

The **Seventh Amendment** tells about a jury when one person sues another person.  
In civil cases, a person still holds the right to have a jury trial

### **The Eighth Amendment—No Cruel and Unusual Punishments**

**Bail** : money given to the court to guarantee the arrested person will appear for a trial.

The **Eighth Amendment** tells about unusual punishment.  
The arrested person should be treated as fairly as possible, no matter what. They should receive the same treatment for committing that crime as everyone else.

### *Rights That Limit the Powers of the Federal Government*

#### **The Ninth Amendment—People’s Rights**

The **Ninth Amendment** tells about people’s rights.  
People have rights that are not listed in the Constitution, and they cannot be withheld from those rights.

#### **The Tenth Amendment—States’ Rights**

The **Tenth Amendment** tells about states’ rights.  
If the Constitution did not give the federal government a particular right, then it is given to the states or to the people.

#### **Why the Bill of Rights did not make slavery unconstitutional**

The Bill of Rights couldn’t be used to end slavery : **the Bill of Rights only applied to the federal government and not the state governments.** The Bill of Rights only said that the federal government could not take away people’s rights, not the states.

The Bill of Rights began to protect individuals from the state **after the Civil War and the Thirteenth, Fourteenth, and Fifteenth Amendments were signed.**

### *Citizenship*

**Citizenship** : status of a citizen with their duties, rights, and standards as a member of a community, state, or nation.

Memorize the silly sentence and describe the ten amendments:

Sentence	Key Words	# Amendment
<b>5</b> <b>Big</b> <b>Hairy</b> <b>Spiders</b> <b>Silently</b> <b>Gurgle</b> <b>Juice</b> <b>Under</b> <b>Pam's</b> <b>Sofa</b>	5 freedoms <b>b</b> ear arms <b>h</b> ave soldiers <b>s</b> earch warrants <b>s</b> ilent, you can <b>b</b> e <b>g</b> et an attorney <b>j</b> ury when suing <b>u</b> nusual <b>p</b> unishment <b>p</b> eople's rights <b>s</b> tate's rights	1. Freedom of religion, assembly, petition, press, and speech 2. Right to Bear Arms—right to own guns as part of state militia. 3. Housing Soldiers—people can't be forced to house soldiers in peace times 4. Search and Seizure—police must have a search warrant before entering 5. Right to Remain Silent—person can't be forced to talk about themselves 6. Right to get an Attorney—everybody is allowed to have one, or get one 7. Right to a Jury Trial When Suing—allowed to have jury trial in civil cases 8. No Cruel & Unusual Punishments—People should be treated equal for equal crime 9. People's Rights—people have other rights not in the Constitution 10. States' Rights—if not given to the federal government-it's the state's rights

### **The Development of Rights of People in England and Its Colonies**

Americans got their rights and freedoms : English colonists came to America wanting the same if not more rights and freedoms of their ancestors.

#### **In the Middle Ages, ordinary people had no rights at all**

**Magna Carta** : document of English political and civil liberties granted by King John in 1215.

#### **Trial by jury**

Jury rights were first won : Magna Carta said wealthy landowners could not be thrown in jail without first being tried in an open court with a jury deciding whether they were guilty or not guilty.

#### **Right of representation for taxation**

#### **The English Bill of Rights**

English Bill of Rights : signed in 1689.  
United States Bill of Rights : signed in 1791  
1689 - 1791 : 102 years

Freedom of speech first won : **English Bill of Rights, 1689.**

Magna Carta : signed 1215  
English Bill of Rights : signed 1689  
1689 – 1215 : 474 years

### **Limits of the English Bill of Rights**

People **not** helped by English Bill of Rights : **poor men and all women**

### Additional Rights That the English Colonists Won in America

**More men get the right to vote**

**The right to freedom of religion**

British colonists get freedom of religion : by establishing colonies based on principle of religious tolerance

### A New Right is Won in the Colonies: Freedom of the Press

**Literacy developed in the 13 Colonies**

**The right to freedom of the press developed in the 13 Colonies**

Being able to read and write is important to representative government : voters can make good decisions about how to vote by learning important ideas and beliefs from reading and studying.

Problem for John Zenger : he was punished for printing the truth in his newspaper

Solution to John Zenger's problem : English Bill of Rights guaranteed him a trial by jury—the colonists were not as judgmental or prejudiced.

**The right of trial by jury** : made freedom of press possible