

Introduction

The first ten amendments, which make up the so-called Bill of Rights, were designed to calm the fears of the mild opponents of the Constitution in its original form. The amendments were proposed to the state legislatures by the first Congress that assembled under the Constitution in 1789 and were ratified in 1791. Some of the framers had argued that the Bill of Rights was not necessary since the national government did not in any case have the power to do what was expressly forbidden in the proposed amendments..

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.

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.

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.

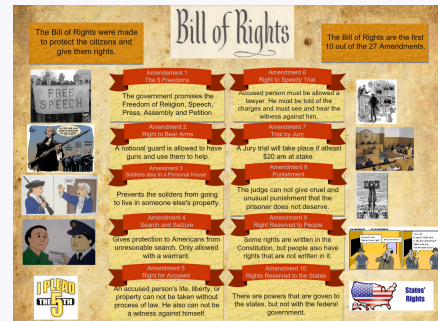
Amendment IV

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.

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 offence 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..

Bill of Rights



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 defence.

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 re-examined in any Court of the United States, than according to the rules of the common law.

Amendment VIII

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

Amendment IX

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

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.

Summary

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The most important rights protected by the U.S. Bill of Rights are contained in the 1ST AMENDMENT. It provides that Congress shall make no law respecting an establishment of religion or prohibiting its free exercise, or abridging freedom of speech or press or the right to assemble and petition for redress of grievances. These rights are the core rights protected by the system of ordered liberty established by the Bill of Rights. Under the 1st Amendment, the do main of "liberty," withdrawn from federal encroachment, was enlarged to include liberty of mind and beliefs.. The 2ND and 3ND AMENDMENTS reflect the colonists' hostility toward standing armies; they guarantee the people's right to bear arms and limit the quartering of soldiers in private homes. The 4TH AMENDMENT is aimed at the abuses the colonists had suffered from writs of assistance and general warrants; it secures the people against unreasonable searches and seizures and requires warrants to be specific and issued only upon probable cause.

The 5TH AMENDMENT requires grand jury indictments in major criminal prosecutions and prohibits trying a person twice on the same charge or requiring that person to testify against himself or herself; it forbids taking of private property for public use without just compensation and forbids deprivation of life, liberty, and property without due process of law. The due process concept was a major step forward; since then, due process has served as the principal constitutional tool for the protection of rights not defined in the Bill of Rights.. The 6TH AMENDMENT protects criminal defendants; it guarantees the accused a speedy public trial by jury and the rights to be informed of the accusation, to be confronted with the witnesses against the accused, to use compulsory process to secure witnesses, and to have the assistance of counsel.

The 7th AMENDMENT guarantees jury trials in civil cases; the 8TH AMENDMENT prohibits excessive bail or fines or cruel and unusual punishments; the 9TH AMENDMENT provides that the enumeration of rights in the Constitution does not deny others retained by the people; and the 10TH AMENDMENTS states the doctrine of reserved powers--that all powers not delegated to the United States are reserved to the states or the people.

