

The Bill of Rights



The first 10 amendments
To the U. S. Constitution

Who determines what the Bill of Rights mean?

- The Supreme Court makes rulings on the meaning
- The Supreme Court balances the rights of the individual with the needs of society



Individual??

Society???

The first amendment—5 rights mentioned

- Freedom of Speech
- Freedom of Religion
- Freedom of the Press
- Freedom of Assembly
- Right to petition the government





Five Rights in the Amendment

- Freedom of Religion
- Freedom of speech
- Freedom of the press
- Freedom of Assembly
- Petition the government

Freedom of Religion

- “Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof”
- Two clauses:
 - Establishment clause
 - Free Exercise clause





Establishment and free exercise clause often conflict with each other

- In schools, the religion issue is most prevalent
- If a student raises his hand and says “teacher, can we say an opening prayer before this test”
 - If the teacher says: “Yes”, It looks like establishment of religion
 - “No”, It is deigning a student free exercise.

Establishment Clause—Government cannot promote religion



Establishment clause-Government

Cans

- Teach about religions in school
- Allow voluntary prayer in many examples
- Transport students to a religious school
- Read Bible for culture or literacy content

Cannot

- Set a state religion
- Government cannot order a prayer
- Teach religious doctrine in the school
- Pay seminary teachers
- Teach creationism

Free exercise of religion



Ken Light / Special to MSNBC



Free Exercise—The person

Can Cannot

- Choose whatever religion
- Lead a prayer in most examples
- Ask questions about religions
- Worship who ever you want
- Break the law and claim it is religious belief
- Raise children without education
- Deprave children of basic needs

Freedom of speech

- “Congress shall make no laws . . . abridging the freedom of speech”





Free speech– The individual can:

- Say any political belief
- Protest (without getting out of control)
- Say things about someone that are true
- Burn the flag
- Say racist and hate slogans
- Free speech means someone might say something you disagree with



Free speech—limits on the person

- Threaten to blow up airplanes, schools or the president
- Sexual harassment
- Create too much social chaos
- Extremely crude language in a public form
- Disrespectful, vulgar language in schools
- Hate crimes

Freedom of the press

- Congress shall make no law . . . abridging . . . the freedom of the press.”





Freedom of the press—the press

Can

- Print any political position
- Make fun of people, especially politicians
- Expose wrongs by the government
- Say things you might not agree with

Cannot

- Libel— intentionally injuring a person’s reputation by false facts
- Disclose defense-security secrets
- Detail how to make a certain weapons

Freedom of Assembly

- Congress shall make no law . . . Abridging . . . The people to peaceably assemble”





Freedom of Assembly--Individual

Can

- Protest
- Parade (with a permit)
- Parade chanting hate slogans
- Gang members can congregate in public

Cannot

- Protest by throwing rocks and breaking windows
- Hang out on private land against owners will—loitering
- Teen curfew

Petition the Government

- “Congress shall make no law . . . Abridging . . . the people . . . to petition the government for a redress of grievances”



Petition the government

- You may sue the government for wrongs
- You cannot be punished for exposing wrongs by the government
- The courts decide the wrongs



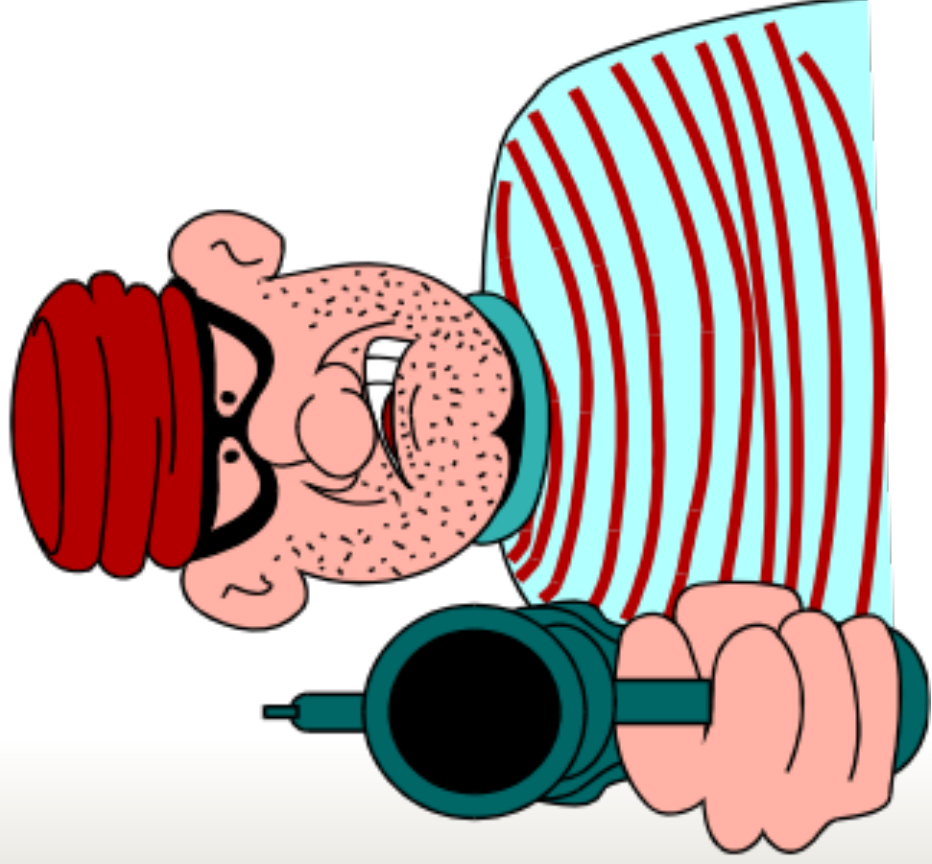
Amit Shabi / Reuters

2nd Amendment—Right to bear arms

- “A well-regulated militia, being necessary to the security of a free state, the right of the people to bear arms shall not be infringed.”



What is the debate with the right to bear arms?



- How much can the government keep guns from criminals and youth?
- In order to keep guns away from criminals, does that limit the right of law abiding citizens?

Gun debate continued



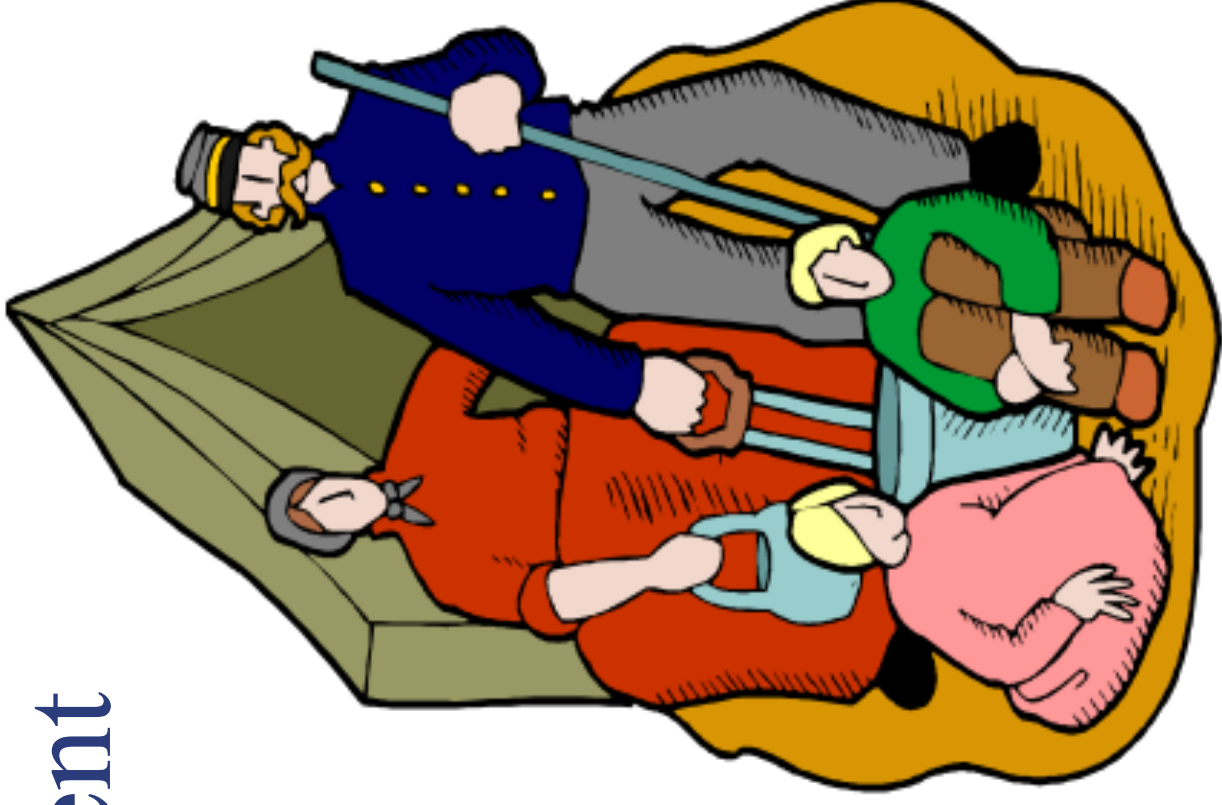
Sean Cayton / The Image Works

- Thousands of people die every year because of guns
- Thousands of crimes are prevented because of guns

Shoes representing gun deaths.

Third Amendment

- The Government cannot force you to shelter soldiers in your home without your consent in time of war or peace.



Rights of the Accused Amendments #4-8 Important to preserve freedom



Fourth Amendment

- What does a policeman need in order to search your home?
 - A warrant given to him by a judge
 - Probable cause is also needed





Fifth Amendment

- You cannot be tried for the same crime twice—called “Double Jeopardy”
- You do not have to testify against your self. “I plead the fifth”
- You must have *due process* of law before you are convicted
- The government cannot take your land unless it pays.

Sixth Amendment

- Right to speedy trial by impartial jury —meaning not favoring either side



Sixth Amendment continued

- You must be told of charges
- You must be provided a lawyer if you cannot afford one



Seventh Amendment



- Civil Suit
- \$20
- Jury
- Follow common law



Eighth Amendment

- No excessive bail
- No cruel and unusual punishment



Ken Light / Special to MSNBC

Prisoner kissing his Mom in prison

Ninth Amendment

- Civil rights are not restricted to those specified by these amendments



Tenth Amendment



- Powers not granted to the national government belong to the states and the people.