

BILL OF RIGHTS SUMMARY

This summarized Bill of Rights to the United States Constitution contains the original language followed by an explanation. The goal is to give the meaning of the Bill of Rights in modern language without corrupting the authors' intent. Use this as a study aide.

Amendment 1: *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.*

Explanation: The separation of Church and State is guaranteed by the first amendment. Government, specifically Congress, cannot dictate how citizens worship, nor can the federal government prevent someone from worshiping. The Constitution's framers understood the importance of religion and understood the importance of allowing citizens to worship as they choose. The 1st amendment also protects a citizens right to speak his conscience without fear of reprisal, and gives the press the same protection (newspapers at the time, and extending to other media such as radio, TV, and Internet as technology progressed). The 1st amendment protects the right of citizens to petition, or complain to the government, without fear of arrest or persecution.

It is critical to understand that the U.S. Constitution, the Bill of Rights, or Government does not grant these rights. These rights are granted by God--as set forth in The Declaration of Independence. In fact, governments were formed, according to the founding fathers, to protect these rights. The Declaration of Independence asserts that any government which attempts to take away these rights should be overthrown.

Amendment 2: *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.*

Explanation: Citizens have a right to own guns. Government cannot violate this right. The 2nd amendment, unlike the first, provides a justification for its existence. The 2nd amendment has come under fire (no pun intended) in recent years as gun control laws proliferate. Not including the U.S. military, no organization owns more hand guns than the United States government, something you may want to remember when government officials try to restrict your right to bear arms.

Amendment 3: *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.*

Explanation: The government cannot force you to let a soldier stay in your home in times of peace. If during war it becomes necessary, it will be done orderly as directed by law. The founding fathers understood the importance of property rights in guaranteeing individual liberty.

Amendment 4: *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.*

Explanation: Nobody can enter your house without your permission unless they have a search warrant. In order to obtain a search warrant, one must have a really good reason. The warrant must be authorized, documented, and state specifically the place being searched and what is being looked for. The 4th amendment is another example of the importance of property rights to the founding fathers.

Amendment 5: *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 offense 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.*

Explanation: The 5th amendment deals with the rights of the accused. If arrested for a serious crime, the accuser must demonstrate good reason to pursue a trial. One cannot be tried twice for the same crime, cannot be forced to testify against himself, and is entitled to certain procedures. The government cannot seize private property without paying fair price for it. The purpose of the 5th amendment is to limit government's ability to harass its citizens.

Amendment 6: *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*

Explanation: The purpose of the 6th amendment is to prevent the government from detaining citizens unfairly. Citizens have a right to a speedy and public trial, and have the right to be tried fairly and near the same location they were arrested. The accused must also be told what it is they're being tried for, know who is testifying against them, and the right to provide witnesses for himself and an attorney for himself.

Amendment 7: *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.*

Explanation: The 7th amendment deals with the rights of those being sued. If the amount of the lawsuit exceeds a certain amount (much higher than the \$20 originally established), the defendant has the right to a trial by jury.

Amendment 8: *Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.*

Explanation: The 8th amendment protects citizens from unfair punishments. The punishment, according to the 8th amendment, must fit the crime. The federal government and most states have sentencing guidelines to prevent judges from imposing excessive bail, fines, or punishments.

Amendment 9: *The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.*

Explanation: Many framers of the U.S. Constitution did not feel a Bill of Rights was necessary. After all, they argued, these rights are not granted by the government. They also feared that rights not listed in the Bill of Rights would be, therefore, taken away. The 9th amendment calmed their fears by emphasizing that rights not necessarily listed by the Constitution cannot be taken away by the

government. It is important to remember that the whole purpose of the United States Constitution is to limit government, something politicians throughout the years have needed to be reminded.

Amendment 10: *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.*

Explanation: With the exception of the 2nd amendment, no amendment has been infringed upon by the federal government more than the 10th. The United States is a republic, not a democracy, which many poorly written history and government text books call it. As a republic, states are promised autonomy over matters not mentioned in the Constitution. The increasing size of the federal government and the use of powers not granted to the federal government have all but destroyed rights guaranteed by the 10th amendment, the most recent attempt being the effort to eliminate the system of electing a president after Al Gore's defeat in 2000.