

## **BILL OF RIGHTS**

### **1st Amendment: The Five Freedoms**

1. List the 5 freedoms of the 1st Amendment.
2. Our Constitution says a man may say or write anything he wants. There are, however, some limitations placed on this precious freedom. Can you think of any situations where someone would be restricted from expressing this freedom completely?
3. What are the possible consequences people risk when they refuse to respect the limits placed on freedom of speech and freedom of the press?
4. Can you think of any restrictions that might be placed upon a man's freedom to worship in whatever manner he so chooses?
5. What is the difference between the right to assemble and the right to petition?

### **2nd Amendment: The Right of Protection**

1. The 2nd Amendment established the right of a state to have a militia. What did it say about the right of private individuals owning weapons?
2. Have there since been any restrictions placed on man's constitutional right "to bear arms"? If so, what are they?

### **3rd Amendment: Quartering of Soldiers**

1. During peacetime, no soldier shall be quartered in a house without the consent of the owner. Where do you think this idea came from?

### **4th Amendment: Search and Seizure**

1. Under the 4th Amendment, what items are protected from unwarranted searches?
2. What information must be contained in an authorized search warrant?

### **5th Amendment: Fair Trial in Open Court**

1. What is the difference between a capital crime or for an infamous crime?
2. No person can be punished for a capital crime or for an infamous crime without first having been indicted by a grand jury. What is an indictment?
3. What is the nature of the job of the grand jury?
4. How many persons are there on a grand jury?
5. What is the difference between a "true bill" and a "no true bill"?
6. What does the 5th Amendment mean when it talks about no one being placed in "double jeopardy"?
7. You have heard the familiar phrase of a criminal in court who says: "I plead the 5th." What specific quote from the 5th Amendment is the defendant referring to when he says the words?
8. "No person may have his life, his liberty, or his property taken from him without 'due process of law.'" What does the phrase *due process of law* mean?

### **6th Amendment: The Rights of a Person in Court**

1. In all cases of criminal prosecution, the accused shall have the right to a speedy trial. What does the Constitution say about the location of that trial?

2. The accused has the right to be judged by a jury of 12 unbiased persons and must be completely informed of all existing rights. One of those is to confront face to face those who testify against him. Why do you think the accused has the right?
3. What do we call the court order which forces the accused to appear and testify in court whether they want to or not?

### **7th Amendment: Jury Trials**

1. What is the minimum dollar amount over which a common lawsuit can be filled?
2. The decision of the jury shall be final except under either of these two circumstances:
  - a.
  - b.

### **8th Amendment: Excessive Bail and Punishment**

1. What is bail?
2. The 8th Amendment calls for bail to be appropriate for the crime committed. Neither can the fine imposed by the court be excessive for the crime committed. Now can the courts call for cruel or unusual punishments for crimes committed. Trace the history of early colonial America and find some examples of "cruel and unusual punishment" which the men who wrote the Constitution must have had in mind when they wrote this paragraph?
3. The Supreme Court has the final word in deciding what "cruel and excessive" punishment is. On June 29, 1972, the Supreme Court ruled that capital punishment was unconstitutional on the grounds that it was being administered unfairly-that this manner in which it was being administered was in and of itself "cruel" and "excessive" -thus violating the 8th Amendment. Since that time the Supreme Court has reversed that decision; and as long as the punishment is administered fairly to all, it is no longer "cruel and excessive." This has paved the way for several executions in the United States. What is your own opinion?

### **9th Amendment: Other Rights**

1. The 9th Amendment says that the Constitution has given us all certain rights. It cannot, however, list all of those rights. Just because a right is not listed in the Constitution does not mean that it does not exist. Give an example of one of those rights you have.
2. How is the 9th Amendment like Article 1, Section 8, last paragraph?

### **10th Amendment: Rights of the States and the People**

1. What happens to all those powers that are not specifically given to the federal government?