

## The Bill of Rights

On September 25, 1789, Congress transmitted to the state Legislatures twelve proposed amendments to the Constitution. Numbers three through twelve were adopted by the states to become the **United States (U.S.) Bill of Rights**, effective December 15, 1791.

James Madison proposed the U.S. Bill of Rights. It largely responded to the Constitution's influential opponents, including prominent Founding Fathers, who argued that the Constitution should not be ratified because it failed to protect the basic principles of human liberty. The U.S. Bill of Rights was influenced by George Mason's 1776 Virginia Declaration of Rights, the 1689 English Bill of Rights, works of the Age of Enlightenment pertaining to natural rights, and earlier English political documents such as the Magna Carta (1215).

Two additional articles were proposed to the States; only the final ten articles were ratified quickly and correspond to the First through Tenth Amendments to the Constitution. The first Article, dealing with the number and apportionment of U.S. Representatives, never became part of the Constitution. The second Article, limiting the ability of Congress to increase the salaries of its members, was ratified two centuries later as the 27th Amendment. Though they are incorporated into the document known as the "Bill of Rights", neither article establishes a right as that term is used today. For that reason, and also because the term had been applied to the first ten amendments long before the 27th Amendment was ratified, the term "Bill of Rights" in modern U.S. usage means only the ten amendments ratified in 1791.

The United States Bill of Rights plays a central role in American law and government, and remains a fundamental symbol of the freedoms and culture of the nation. One of the original fourteen copies of the U.S. Bill of Rights is on public display at the National Archives in Washington, D.C.

### **Amendment I (1):** *Freedom of religion, speech, and the press; rights of assembly and petition*

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 (2):** *Right to bear arms*

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 (3):** *Housing of soldiers*

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 (4):** *Search and arrest warrants*

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.

## The U.S Constitution & Amendments: The Bill of Rights *(Continued)*

### **Amendment V (5):** *Rights in criminal cases*

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.

### **Amendment VI (6):** *Rights to a fair trial*

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 (7):** *Rights in civil cases*

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 (8):** *Bails, fines, and punishments*

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

### **Amendment IX (9):** *Rights retained by the people*

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

### **Amendment X (10):** *Powers retained by the states and the people*

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.



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