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Chapter 1 : First Amendment to the United States Constitution - Wikipedia

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.

The Third Amendment â€” During the Revolutionary War, the people were forced to provide food and shelter for the soldiers. It prevents the authorities from searching a property without a detailed warrant and also a good reason. The Fifth Amendment â€” The fifth amendment protects the right of suspects or anyone accused of a crime. It covers the right of the accused, due process of law and eminent domain. Let us take a look at this amendment in detail. Rights of the accused â€” As per this amendment, all suspects are innocent until proven guilty. When a person is accused of a crime, a grand jury is formed to gather the necessary evidence to prove the crime committed by the accused. It makes sure that nobody gets punished without sufficient evidence and also states that a person cannot be tried twice for the same crime. Due Process of Law â€” As per this right, the government has to follow a set of legal procedures and methods before convicting a suspect. But as per this law, the government has to pay a reasonable price to the citizen in return for the property taken from him. The Sixth Amendment â€” This is an important amendment as it helps to save a citizen from a falsely accused crime. As per this, every accused has the right to a lawyer. As per this law, a citizen is not liable to pay high bails and fines to the authorities for any reason. The Ninth and Tenth Amendments â€” These amendments address the liberties of the state and its citizens which are not listed in the current Bill of Rights. Hence, from a broader perspective, the Bill of Rights serves as the keystone of the basic rights and liberties of a Citizen. To ensure a peaceful living and an impartial judiciary and government this Bill is inevitable. Growing up, we were assigned projects where we were paired off with another student, or allotted Importance of humility Humility is one of the most underrated virtues that we have; often people mistake humility as a weak virtue wherein it is supposed to make you appear Importance of management All our lives, we have been part of a management in one way or the other. Sometimes, we have worked under a management, and sometimes we have been par You drive your car down a certain direction, follow

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Chapter 2 : Amendment I - The United States Constitution

The Bill of Rights was strongly influenced by the Virginia Declaration of Rights, written by George Mason. Other precursors include English documents such as the Magna Carta, the Petition of Right, the English Bill of Rights, and the Massachusetts Body of Liberties.

Ratified December 15, Amendment I Freedoms, Petitions, Assembly 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 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 Quartering 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 Search and arrest 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 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 Right 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 defense. Amendment VII 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 Bail, fines, punishment Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. Amendment IX 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. Later Amendments Amendment 11 Lawsuits against states The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States. Superseded by Section 3 of the Twentieth Amendment. Amendment 13 Abolition of slavery Section 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction. Congress shall have power to enforce these article by appropriate legislation. Amendment 14 Civil rights Section 1. All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws. Representatives shall be apportioned

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among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the Executive and Judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State. No person shall be a Senator or Representative in Congress, or elector of President and Vice President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each House, remove such disability. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void. The Congress shall have power to enforce, by appropriate legislation, the provisions of this article. Amendment 15 Black suffrage Section 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude. The Congress shall have power to enforce this article by appropriate legislation. Amendment 16 Income taxes The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration. Amendment 17 Senatorial elections The Senate of the United States shall be composed of two senators from each State, elected by the people thereof, for six years; and each Senator shall have one vote. The electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State legislature. When vacancies happen in the representation of any State in the Senate, the executive authority of such State shall issue writs of election to fill such vacancies: Provided, That the legislature of any State may empower the executive thereof to make temporary appointments until the people fill the vacancies by election as the legislature may direct. This amendment shall not be so construed as to affect the election or term of any Senator chosen before it becomes valid as part of the Constitution. Amendment 18 Prohibition of liquor Section 1. After one year from the ratification of this article, the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, or the exportation thereof from the United States and all territory subject to the jurisdiction thereof for beverage purposes is hereby prohibited. The Congress and the several States shall have concurrent power to enforce this article by appropriate legislation. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress. Repealed by the Twenty-First, December 5, 1933. Congress shall have power to enforce this article by appropriate legislation. Amendment 20 Terms of office Section 1. The terms of the President and Vice President shall end at noon the 20th day of January, and the terms of Senators and Representatives at noon on the 3d day of January, of the years in which such terms would have ended if this article had not been ratified; and the terms of their successors shall then begin. The Congress shall assemble at least once in every year, and such meeting shall begin at noon on the 3d day of January, unless they shall by law appoint a different day. If, at the time fixed for the beginning of the term of the President, the President elect shall have died, the Vice President elect shall become President. If a President shall not have been chosen before the time fixed for the beginning of his term, or if the President elect shall have failed to qualify, then the Vice President elect shall act as President

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until a President shall have qualified; and the Congress may by law provide for the case wherein neither a President elect nor a Vice President elect shall have qualified, declaring who shall then act as President, or the manner in which one who is to act shall be selected, and such person shall act accordingly until a President or Vice President shall have qualified. The Congress may by law provide for the case of the death of any of the persons from whom the House of Representatives may choose a President whenever the right of choice shall have devolved upon them, and for the case of the death of any of the persons from whom the Senate may choose a Vice President whenever the right of choice shall have devolved upon them. Sections 1 and 2 shall take effect on the 15th day of October following the ratification of this article. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission. Amendment 21 Repeal of Prohibition Section 1. The eighteenth article of amendment to the Constitution of the United States is hereby repealed. The transportation or importation into any State, Territory, or possession of the United States for delivery or use therein of intoxicating liquors, in violation of the laws thereof, is hereby prohibited. The article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by conventions in the several States, as provided in the Constitution, within seven years from the date of the submission hereof to the States by the Congress. Amendment 22 Term Limits for the Presidency Section 1. No person shall be elected to the office of the President more than twice, and no person who has held the office of President, or acted as President, for more than two years of a term to which some other person was elected President shall be elected to the office of the President more than once. But this Article shall not apply to any person holding the office of President when this Article was proposed by the Congress, and shall not prevent any person who may be holding the office of President, or acting as President, during the term within which this Article becomes operative from holding the office of President or acting as President during the remainder of such term. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress. Amendment 23 Washington, D. The District constituting the seat of government of the United States shall appoint in such manner as the Congress may direct: A number of electors of President and Vice President equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a state, but in no event more than the least populous State; they shall be in addition to those appointed by the States, but they shall be considered, for the purposes of the election of President and Vice President, to be electors appointed by a State; and they shall meet in the District and perform such duties as provided by the twelfth article of amendment. Amendment 24 Abolition of poll taxes Section 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax. Amendment 25 Presidential succession Section 1. In case of the removal of the President from office or of his death or resignation, the Vice President shall become President. Whenever there is a vacancy in the office of the Vice President, the President shall nominate a Vice President who shall take office upon confirmation by a majority vote of both Houses of Congress. Whenever the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, and until he transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Vice President as Acting President. Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office, the Vice President shall immediately assume the powers and duties of the office as Acting President. Thereafter, when the President transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that no inability exists, he shall resume the powers and duties

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of his office unless the Vice President and a majority of either the principal officers of the executive department or of such other body as Congress may by law provide, transmit within four days to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of his office. Thereupon Congress shall decide the issue, assembling within forty-eight hours for that purpose if not in session. If the Congress, within twenty-one days after receipt of the latter written declaration, or, if Congress is not in session, within twenty-one days after Congress is required to assemble, determines by two-thirds vote of both Houses that the President is unable to discharge the powers and duties of his office, the Vice President shall continue to discharge the same as Acting President; otherwise, the President shall resume the powers and duties of his office. Amendment 26 year-old suffrage Section 1. The right of citizens of the United States, who are eighteen years of age or older, to vote shall not be denied or abridged by the United States or by any State on account of age. Amendment 27 Congressional pay raises No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened. Congress submitted the text of this amendment as part of the proposed Bill of Rights on September 27, The Amendment was not ratified together with the first ten Amendments.

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Chapter 3 : English Bill of Rights - HISTORY

Freedom of Religion, Speech, and the Press. 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.

Anti-Federalism In , the second year of the American Revolutionary War , the Virginia colonial legislature passed a Declaration of Rights that included the sentence "The freedom of the press is one of the greatest bulwarks of liberty, and can never be restrained but by despotic Governments. However, these declarations were generally considered "mere admonitions to state legislatures", rather than enforceable provisions. Other delegates—including future Bill of Rights drafter James Madison —disagreed, arguing that existing state guarantees of civil liberties were sufficient and that any attempt to enumerate individual rights risked the implication that other, unnamed rights were unprotected. Supporters of the Constitution in states where popular sentiment was against ratification including Virginia, Massachusetts, and New York successfully proposed that their state conventions both ratify the Constitution and call for the addition of a bill of rights. Constitution was eventually ratified by all thirteen states. The civil rights of none shall be abridged on account of religious belief or worship, nor shall any national religion be established, nor shall the full and equal rights of conscience be in any manner, or on any pretext, infringed. The people shall not be deprived or abridged of their right to speak, to write, or to publish their sentiments; and the freedom of the press, as one of the great bulwarks of liberty, shall be inviolable. The people shall not be restrained from peaceably assembling and consulting for their common good; nor from applying to the Legislature by petitions, or remonstrances, for redress of their grievances. Establishment Clause Thomas Jefferson wrote with respect to the First Amendment and its restriction on the legislative branch of the federal government in a letter to the Danbury Baptists a religious minority concerned about the dominant position of the Congregational church in Connecticut: Adhering to this expression of the supreme will of the nation in behalf of the rights of conscience, I shall see with sincere satisfaction the progress of those sentiments which tend to restore to man all his natural rights, convinced he has no natural right in opposition to his social duties. United States the Supreme Court used these words to declare that "it may be accepted almost as an authoritative declaration of the scope and effect of the amendment thus secured. Congress was deprived of all legislative power over mere [religious] opinion, but was left free to reach [only those religious] actions which were in violation of social duties or subversive of good order. In the preamble of this act [. Originally, the First Amendment applied only to the federal government, and some states continued official state religions after ratification. Massachusetts , for example, was officially Congregational until the s. Board of Education , the U. Supreme Court incorporated the Establishment Clause i. The "establishment of religion" clause of the First Amendment means at least this: Neither a state nor the Federal Government can set up a church. Neither can pass laws which aid one religion, aid all religions, or prefer one religion to another. That wall must be kept high and impregnable. We could not approve the slightest breach. Watkins , the Supreme Court ruled that the Constitution prohibits states and the federal government from requiring any kind of religious test for public office. Grumet , [12] The Court concluded that "government should not prefer one religion to another, or religion to irreligion. Perry , [14] McCreary County v. ACLU , [15] and Salazar v. Buono [16] —the Court considered the issue of religious monuments on federal lands without reaching a majority reasoning on the subject. President Thomas Jefferson wrote in his correspondence of "a wall of separation between church and State". It had been long established in the decisions of the Supreme Court, beginning with Reynolds v. United States in , when the Court reviewed the history of the early Republic in deciding the extent of the liberties of Mormons. Chief Justice Morrison Waite , who consulted the historian George Bancroft , also discussed at some length the Memorial and Remonstrance against Religious Assessments by James Madison, [18] who drafted the First Amendment; Madison used the metaphor of a "great barrier". Everson laid down the test that establishment

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existed when aid was given to religion, but that the transportation was justifiable because the benefit to the children was more important. In the school prayer cases of the early s, *Engel v. Vitale* and *Abington School District v. Schempp*, aid seemed irrelevant; the Court ruled on the basis that a legitimate action both served a secular purpose and did not primarily assist religion. *Tax Commission*, the Court ruled that a legitimate action could not entangle government with religion; in *Lemon v. Kurtzman*, these points were combined into the Lemon test, declaring that an action was an establishment if: The Lemon test has been criticized by justices and legal scholars, but it remains the predominant means by which the Court enforces the Establishment Clause. *Felton*, the entanglement prong of the Lemon test was demoted to simply being a factor in determining the effect of the challenged statute or practice. *Simmons-Harris*, the opinion of the Court considered secular purpose and the absence of primary effect; a concurring opinion saw both cases as having treated entanglement as part of the primary purpose test. Some relationship between government and religious organizations is inevitable", the court wrote. Douglas that "[w]e are a religious people whose institutions presuppose a Supreme Being". Free Exercise Clause "Freedom of religion means freedom to hold an opinion or belief, but not to take action in violation of social duties or subversive to good order. *United States*, the Supreme Court found that while laws cannot interfere with religious belief and opinions, laws can regulate some religious practices e. The Court stated that to rule otherwise, "would be to make the professed doctrines of religious belief superior to the law of the land, and in effect permit every citizen to become a law unto himself. Government would exist only in name under such circumstances. While the right to have religious beliefs is absolute, the freedom to act on such beliefs is not absolute. *Verner*, [33] the Supreme Court required states to meet the "strict scrutiny" standard when refusing to accommodate religiously motivated conduct. This meant that a government needed to have a "compelling interest" regarding such a refusal. The case involved *Adele Sherbert*, who was denied unemployment benefits by South Carolina because she refused to work on Saturdays, something forbidden by her Seventh-day Adventist faith. *Yoder*, the Court ruled that a law that "unduly burdens the practice of religion" without a compelling interest, even though it might be "neutral on its face", would be unconstitutional. *Smith*, [37] which held no such interest was required under the Free Exercise Clause regarding a neutral law of general applicability that happens to affect a religious practice, as opposed to a law that targets a particular religious practice which does require a compelling governmental interest. Since the ordinance was not "generally applicable", the Court ruled that it needed to have a compelling interest, which it failed to have, and so was declared unconstitutional. In *City of Boerne v. Freedom of speech in the United States and United States free speech exceptions* Wording of the clause The First Amendment bars Congress from "abridging the freedom of speech, or of the press". The practice in America must be entitled to much more respect. In every state, probably, in the Union, the press has exerted a freedom in canvassing the merits and measures of public men, of every description, which has not been confined to the strict limits of the common law. Madison believed that legislation to be unconstitutional, and his adversaries in that dispute, such as John Marshall, advocated the narrow freedom of speech that had existed in the English common law. For example, the Supreme Court never ruled on the Alien and Sedition Acts; three Supreme Court justices riding circuit presided over sedition trials without indicating any reservations. *Sullivan*, [52] the Court noted the importance of this public debate as a precedent in First Amendment law and ruled that the Acts had been unconstitutional: Specifically, the Espionage Act of states that if anyone allows any enemies to enter or fly over the United States and obtain information from a place connected with the national defense, they will be punished. *United States*, *Debs v. United States*, *Frohwerk v. United States*, and *Abrams v. United States*. In the first of these cases, Socialist Party of America official Charles Schenck had been convicted under the Espionage Act for publishing leaflets urging resistance to the draft. *United States*, the court again upheld an Espionage Act conviction, this time that of a journalist who had criticized U. *United States*, the Court elaborated on the "clear and present danger" test established in *Schenck*. *Debs*, a political activist, delivered a speech in Canton, Ohio, in which he spoke of "most loyal comrades were paying the penalty to the working class" these being *Wagenknecht*, *Baker* and *Ruthenberg*, who had been

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convicted of aiding and abetting another in failing to register for the draft. In upholding his conviction, the Court reasoned that although he had not spoken any words that posed a "clear and present danger", taken in context, the speech had a "natural tendency and a probable effect to obstruct the recruiting services". The Supreme Court denied a number of Free Speech Clause claims throughout the s, including the appeal of a labor organizer, Benjamin Gitlow, who had been convicted after distributing a manifesto calling for a "revolutionary dictatorship of the proletariat". New York , the Court upheld the conviction, but a majority also found that the First Amendment applied to state laws as well as federal laws, via the Due Process Clause of the Fourteenth Amendment. California , [70] in which Communist Party USA organizer Charlotte Anita Whitney had been arrested for " criminal syndicalism ", Brandeis wrote a dissent in which he argued for broader protections for political speech: Those who won our independence. United States , [75] the Court upheld the law, 6â€”2. The demands of free speech in a democratic society as well as the interest in national security are better served by candid and informed weighing of the competing interests, within the confines of the judicial process. United States , the Supreme Court limited the Smith Act prosecutions to "advocacy of action" rather than "advocacy in the realm of ideas". Advocacy of abstract doctrine remained protected while speech explicitly inciting the forcible overthrow of the government was punishable under the Smith Act. Though the Court upheld a law prohibiting the forgery, mutilation, or destruction of draft cards in United States v. Ohio , [84] expressly overruling Whitney v. California , [89] the Court voted 5â€”4 to reverse the conviction of a man wearing a jacket reading "Fuck the Draft" in the corridors of a Los Angeles County courthouse. California , [91] the Court struck down a Los Angeles city ordinance that made it a crime to distribute anonymous pamphlets. Justice Hugo Black wrote in the majority opinion: Anonymous pamphlets, leaflets, brochures and even books have played an important role in the progress of mankind. Ohio Elections Commission , [93] the Court struck down an Ohio statute that made it a crime to distribute anonymous campaign literature. Keene , [95] the Court upheld the Foreign Agents Registration Act of , under which several Canadian films were defined as "political propaganda", requiring their sponsors to be identified. Federal Election Commission In Buckley v. Valeo , [97] the Supreme Court reviewed the Federal Election Campaign Act of and related laws, which restricted the monetary contributions that may be made to political campaigns and expenditure by candidates. The Court affirmed the constitutionality of limits on campaign contributions, stating that they "serve[d] the basic governmental interest in safeguarding the integrity of the electoral process without directly impinging upon the rights of individual citizens and candidates to engage in political debate and discussion. Federal Election Commission The Supreme Court upheld provisions which barred the raising of soft money by national parties and the use of soft money by private organizations to fund certain advertisements related to elections. In Federal Election Commission v. Wisconsin Right to Life, Inc. The Court overruled Austin v. Michigan Chamber of Commerce , [] which had upheld a state law that prohibited corporations from using treasury funds to support or oppose candidates in elections did not violate the First or Fourteenth Amendments. Federal Election Commission , [] the Court ruled that federal aggregate limits on how much a person can donate to candidates , political parties , and political action committees , combined respectively in a two-year period known as an "election cycle," violated the Free Speech Clause of the First Amendment. Street was arrested and charged with a New York state law making it a crime "publicly [to] mutilate, deface, defile, or defy, trample upon, or cast contempt upon either by words or act [any flag of the United States]. California , [] found that because the provision of the New York law criminalizing "words" against the flag was unconstitutional, and the trial did not sufficiently demonstrate that he was convicted solely under the provisions not yet deemed unconstitutional, the conviction was unconstitutional. The Court, however, "resist[ed] the pulls to decide the constitutional issues involved in this case on a broader basis" and left the constitutionality of flag-burning unaddressed. The Supreme Court reversed his conviction in a 5â€”4 vote.

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Chapter 4 : The Universal Right to Free Expression | Advocacy, Legislation & Issues

The English Bill of Rights was an act signed into law in by William III and Mary II, who became co-rulers in England after the overthrow of King James II. The bill outlined specific.

In the years leading up to the break with the mother country especially after the Stamp Act of 1765, Americans wrote tracts and adopted resolutions resting their claim of rights on Magna Carta, on the colonial charters, and on the teachings of natural law. Constitutional Convention Once independence had been declared, in 1776, the American states turned immediately to the writing of state constitutions and state bills of rights. That document, which wove Lockean notions of natural rights with concrete protections against specific abuses, was the model for bills of rights in other states and, ultimately, for the federal Bill of Rights. They did not oppose the principle of a bill of rights; they simply thought it unnecessary, in light of the theory that the new federal government would be one of enumerated powers only. Opponents of ratification quickly seized upon the absence of a bill of rights, and Federalists, especially Madison, soon realized that they must offer to add amendments to the Constitution after its ratification. Carefully sifting amendments from proposals made in the state ratifying conventions, Madison steered his project through the shoals of indifference on the part of some members who thought the House had more important work to do and outright hostility on the part of others Antifederalists who hoped for a second convention to hobble the powers of the federal government. In September the House and Senate accepted a conference report laying out the language of proposed amendments to the Constitution. Within six months of the time the amendments—the Bill of Rights—had been submitted to the states, nine had ratified them. Ten amendments were ratified; two others, dealing with the number of representatives and with the compensation of senators and representatives, were not. On their face, it is obvious that the amendments apply to actions by the federal government, not to actions by the states. In 1803, in *Barron v. Baltimore*, Chief Justice John Marshall confirmed that understanding. Through this process, nearly all the important provisions of the Bill of Rights now apply to the states. The original Constitution has been amended a number of times—for example, to provide for direct election of senators and to give the vote to eighteen-year-olds. The Bill of Rights, however, has never been amended. There is, of course, sharp debate over Supreme Court interpretation of specific provisions, especially where social interests such as the control of traffic in drugs seem to come into tension with provisions of the Bill of Rights such as the Fourth Amendment. Such debate notwithstanding, there is no doubt that the Bill of Rights, as symbol and substance, lies at the heart of American conceptions of individual liberty, limited government, and the rule of law. Irving Brant, *The Bill of Rights: Its Origin and Meaning*; Robert A. Rutland, *The Birth of the Bill of Rights*, DICK HOWARD *The Bill of Rights 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 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. Amendment VI In all criminal

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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 defense. 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 reexamined 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.

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Chapter 5 : Importance of the Bill of Rights | Essay and speech

- Freedom of Religion, Speech, and the Press 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.

Drafted by representatives with different legal and cultural backgrounds from all regions of the world, the Declaration was proclaimed by the United Nations General Assembly in Paris on 10 December General Assembly resolution A as a common standard of achievements for all peoples and all nations. It sets out, for the first time, fundamental human rights to be universally protected and it has been translated into over languages. All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood. Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty. Everyone has the right to life, liberty and security of person. No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. Everyone has the right to recognition everywhere as a person before the law. All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination. Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law. No one shall be subjected to arbitrary arrest, detention or exile. Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed. No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks. They are entitled to equal rights as to marriage, during marriage and at its dissolution. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance. Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers. Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality. Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay. All children, whether born in or out of wedlock, shall enjoy the same social protection. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace. Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized. Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

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Chapter 6 : United States Bill of Rights - Wikipedia

The Bill of Rights. The document on permanent display in the Rotunda is the enrolled original Joint Resolution passed by Congress on September 25, , proposing not amendments to the Constitution.

Freedom of speech, freedom of the press, freedom of religion Share to: Which are the freedoms guaranteed by the Bill of Rights? Admittedly, everyone has an opinion and as a general rule, it is important to consider the opinions of others. Having said that, it is equally advisable not to accept the opinion of one who is not an authority on the subject.. As an authority on the subject, I can tell you unequivocally that the idea that the Constitution of the United States protects American Citizens much more than it does those who are not citizens is one of the most widely pervasive myths currently circulating. The Constitution does extend certain benefits to citizens. For instance, Article II, Section 1, paragraph 5 provides, inter alia , that "[n]o Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President I cite this particular provision because it provides important definitional context. On its face, this paragraph states, with an exception for those who were Citizens at the time of the adoption of the Constitution, that only natural born Citizens are eligible to become President. However, note the use of the word "Person" as well as the use of the word "Citizen. In other words, not all Persons are Citizens, but all Citizens are Persons.. Now, read the entire Bill of Rights and count how many times the words Citizen, Person, or the people is used.. Within the Bill of Rights, some variation of the word "person" appears eight times. The word "the Owner" and the word "the accused" each appear once. However, the word "Citizen" does not appear a single time in the entire Bill of Rights.. This fact shows that the framers distinguished between these two words. Moreover, the framers used the word "Citizen" specifically when they wanted to limit a particular benefit to only Citizens.. The power derived from a written constitution is lasting, in part, because it is in fact written. Words have specific meanings and we must always presume that the use of each specific word was intentional.. With regard to the Constitution of the United States of America, a plain reading makes it clear that the specific use of the words "the Owner", "the accused", "Citizen" and "person" or some variation thereof, was wholly intentional. In order to honor the framers of the Constitution, and in order to preserve what they created, we must give force and effect to each and every word within the Constitution.. In other words, the rights guaranteed within the Bill of Rights are guaranteed to persons, to the accused, and to the Owner regardless of whether they are American Citizens. To view a transcript of the Preamble as well as Articles I through VII, a transcript of the 1st through the 10th Amendments, also known as the Bill of Rights, and a transcript of the 11th through the 27th Amendments, access the links under Related Links, below.

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Chapter 7 : Universal Declaration of Human Rights | United Nations

Amendment I Freedom of Religion, Speech, Press, Assembly, and Petition Passed by Congress September 25, Ratified December 15, The first 10 amendments form the Bill of Rights.

Among other cherished values, the First Amendment protects freedom of speech. Supreme Court often has struggled to determine what exactly constitutes protected speech. The following are examples of speech, both direct words and symbolic actions, that the Court has decided are either entitled to First Amendment protections, or not. The First Amendment states, in relevant part, that: Not to speak specifically, the right not to salute the flag. *West Virginia Board of Education v. Des Moines, U.* To use certain offensive words and phrases to convey political messages. To contribute money under certain circumstances to political campaigns. To advertise commercial products and professional services with some restrictions. *Virginia Board of Pharmacy v. Virginia Consumer Council, U.* State Bar of Arizona, U. To engage in symbolic speech, e. Freedom of speech does not include the right: To incite actions that would harm others e. *United States, U.* To make or distribute obscene materials. To burn draft cards as an anti-war protest. To permit students to print articles in a school newspaper over the objections of the school administration. *Hazelwood School District v. Of students to make an obscene speech at a school-sponsored event. Bethel School District 43 v. Of students to advocate illegal drug use at a school-sponsored event.*

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Chapter 8 : The Rights and Freedoms of Americans

Called the "Bill of Rights", these amendments were ratified on December 15, Each amendment's title is linked to a set of detailed annotations presented on the Findlaw website. Freedom of Speech, Press, Religion and Petition.

Plus, the origins of the Bill of Rights. Grades 3-5, 6-8 The History of the Bill of Rights Remember how delighted you were when you got your own bicycle? You could ride it all over the neighborhood much more quickly than you could walk. However, you needed to remember the safety rules. What might have happened if nobody bothered to tell you the rules? What if everyone took those rules so much for granted that no one even wrote them down? When the delegates sought to have the new Constitution ratified, they faced a similar problem. They thought everyone knew what individual rights were, so they did not define them in the Constitution. However, the lack of specific guarantees of personal liberty was one of the main reasons why a number of states were reluctant to accept the Constitution. Objections to the Constitution In order to approve the new Constitution, voters were to elect representatives to special state conventions. In New York, Virginia, and Massachusetts, the people and their representatives were strongly opposed to the Constitution. They were called the "Antifederalists. The Antifederalists argued that the states would be absorbed into an all-too-powerful national government. They claimed that the limits on direct voting and the long terms of the president and senators would create an aristocratic class. They also feared that the president might become another monarch. In other words, these Antifederalists felt that the new Constitution was most undemocratic. Their major objection to the new Constitution was its lack of a bill of rights. When the Constitution was being written, many state constitutions already had bills of rights. For that reason, the authors of the Constitution did not feel it was necessary to have another one. The antifederalists believed that without a list of personal freedoms, the new national government might abuse its powers. They worried that it would destroy the liberties won in the Revolution. Supporters of the Constitution Supporters of the new system were called "Federalists. To help win support for the new Constitution, Alexander Hamilton, James Madison, and John Jay wrote a series of essays for the newspaper. These were eventually published under the title "The Federalist. They answered its critics calmly and effectively. They pointed out how the new government was a republic with safeguards against the abuse of power. By the end of July , 11 states had ratified the Constitution. But the new government could not go into effect: North Carolina and Rhode Island did not approve the Constitution until after the government was set up. As soon as the new Congress met, the legislature, under the leadership of Madison, prepared 10 "amendments," or additions, to the Constitution. They were all approved by and became known as the Bill of Rights. It protects five of the most basic liberties. They are freedom of religion, freedom of speech, freedom of the press, freedom of assembly, and freedom to petition the government to right wrongs. These were the guarantees that the Antifederalists missed most in the new Constitution. Freedom of religion means that the government may not force you to accept one set of religious beliefs nor may it interfere with the way you worship. One of the most heated debates of our time involves the issue of prayer and schools. Do students have the right to pray in class? A number of cases have been brought before the Supreme Court to settle this matter. The Supreme Court has held that prayers or even a required moment of silence without a clear secular purpose would violate the principles of the First Amendment. Neither may they make irresponsible statements deliberately harmful to others, such as yelling, "Fire! There are many issues about which Americans disagree, from child-rearing practices to baseball teams to Presidential candidates. Freedom of speech enables people to state their opinions openly to try to convince others to change their minds. The First Amendment also gives you the right to disagree with what others say without fear of punishment by the government authorities. However, if you make an outrageous statement, such as, "The earth is flat," free speech will not keep people from making fun of you. The First Amendment does not prevent social or peer pressure to conform to what others think. Freedom of the Press. This freedom makes it possible for Americans to keep informed about what is going on in government. It helps them to be

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responsible citizens. Reporters and editors can criticize the government without the risk of punishment, provided they do not deliberately tell lies. Newspapers, magazines, and books, as well as television and movie scripts, do not have to be submitted for government inspection before they are published. This censorship would violate the First Amendment. This freedom makes it possible for Americans to join clubs or political parties, even if those groups represent unpopular views. Because of the First Amendment, people can join groups to promote animal rights, the nuclear freeze, or conservation. They can join groups to protest government intervention in Haiti, imported clothes and shoes, toxic wastes, or aid to Serbia or Bosnia. By sharing common interests, Americans can learn to work together. There are groups devoted to the interests of young people. Scout troops and 4-H clubs are but two examples. This important freedom allows people to tell the government what they think is needed. They can try to prevent the government from acting in a certain way. For example, if people dump garbage near your school, you and your parents can petition the government to clean it up. Freedom to petition helps the government to clean it up. Freedom to petition can also let the government know how well it is doing its job.

The Right to Bear Arms The Second Amendment guarantees individual states the right to maintain "a well regulated militia," and citizens the right to "keep and bear arms. Other people have argued that gun control is a violation of the Second Amendment.

Housing Troops The Third Amendment pledges that in peacetime, citizens will never have to keep soldiers in their homes without consenting. Before the Revolution, the British forced Americans to provide lodging and food for their troops. The colonists bitterly resented this intrusion on their privacy as well as the cost of feeding hungry soldiers.

Searchers and Seizure The Fourth through Eighth Amendments concern the rights of people suspected of crime. The Fourth Amendment protects citizens from improper searches of their bodies, possessions, or homes. It requires that a detailed warrant be issued by a judge listing what can be searched. There has to be a good reason for the search. For example, suppose the police knew that someone in your school was selling drugs. The Constitution does not let them search the home of every student. In fact, they could not search the homes of even one or two without a court order. The Fifth Amendment protects the rights of anyone accused of a crime. It assumes that everyone is innocent until proven guilty. In some countries, exactly the opposite is true. Suspects must prove that they are innocent. When a person is accused of a crime for which the punishment could be death, the Fifth Amendment requires that a "grand jury" look at the charges before that person can be brought trial. A grand jury is a group of citizens who decide if there is enough evidence to try a person. It is intended to prevent people from being falsely accused of a serious crime. Today, grand juries consider most serious criminal charges. The Fifth Amendment also states that the person cannot be tried twice for the same crime. The section of the Fifth Amendment that has received the most publicity is the guarantee against "self-incrimination. Under the Fifth Amendment, law enforcement officials must produce the evidence necessary to convict a person of a crime. The accused person cannot be made to provide it. In earlier times, people were tortured until they confessed to crimes they may not even have committed. The guarantee against self-incrimination makes sure that unfair pressure cannot be used to make a person confess. Notorious criminals accused of having ties with the underworld claimed the Fifth Amendment protected them from having to testify. If they had denied those accusations, they probably would have been found guilty of "perjury," or lying under oath. Perjury is punishable by law. If they had told the truth, they would have risked punishment. Instead, they refused to testify on the grounds that they might incriminate themselves. Law enforcement officials had to come up with evidence against them or free them. The right to remain silent also protects innocent people. Politicians held hearings in which people were asked which organizations they had joined and who their friends were. If they answered that they had been involved in certain groups or friendships, they were accused of being Communists. At times, the accusations became wild and unfounded. Many people took refuge in the Fifth Amendment protection against self-incrimination.

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Chapter 9 : Bill Of Rights Quotes - BrainyQuote

Freedom of Speech: General Schenck v. United States () Freedom of speech can be limited during wartime. The government can restrict expressions that "would create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent."

Constitutional Convention United States Prior to the ratification and implementation of the United States Constitution , the thirteen sovereign states followed the Articles of Confederation , created by the Second Continental Congress and ratified in However, the national government that operated under the Articles of Confederation was too weak to adequately regulate the various conflicts that arose between the states. Although the Convention was purportedly intended only to revise the Articles, the intention of many of its proponents, chief among them James Madison of Virginia and Alexander Hamilton of New York , was to create a new government rather than fix the existing one. The convention convened in the Pennsylvania State House , and George Washington of Virginia was unanimously elected as president of the convention. Thomas Jefferson , who was Minister to France during the convention, characterized the delegates as an assembly of "demi-gods. Madison, then an opponent of a Bill of Rights, later explained the vote by calling the state bills of rights "parchment barriers" that offered only an illusion of protection against tyranny. Stewart characterizes the omission of a Bill of Rights in the original Constitution as "a political blunder of the first magnitude" [11] while historian Jack N. Rakove calls it "the one serious miscalculation the framers made as they looked ahead to the struggle over ratification". Thirteen delegates left before it was completed, and three who remained at the convention until the end refused to sign it: Mason, Gerry, and Edmund Randolph of Virginia. Following the Philadelphia Convention, some leading revolutionary figures such as Patrick Henry , Samuel Adams , and Richard Henry Lee publicly opposed the new frame of government, a position known as "Anti-Federalism". Jefferson wrote to Madison advocating a Bill of Rights: If we cannot secure all our rights, let us secure what we can. If every thing which is not given is reserved, what propriety is there in these exceptions? Does this Constitution any where grant the power of suspending the habeas corpus, to make ex post facto laws, pass bills of attainder, or grant titles of nobility? It certainly does not in express terms. The only answer that can be given is, that these are implied in the general powers granted. With equal truth it may be said, that all the powers which the bills of rights guard against the abuse of, are contained or implied in the general ones granted by this Constitution. Ought not a government, vested with such extensive and indefinite authority, to have been restricted by a declaration of rights? So clear a point is this, that I cannot help suspecting that persons who attempt to persuade people that such reservations were less necessary under this Constitution than under those of the States, are wilfully endeavoring to deceive, and to lead you into an absolute state of vassalage. In response, Hamilton argued that the Constitution was inherently different: Bills of rights are in their origin, stipulations between kings and their subjects, abridgments of prerogative in favor of privilege, reservations of rights not surrendered to the prince. Library of Congress In December and January , five states—Delaware, Pennsylvania, New Jersey, Georgia, and Connecticut—ratified the Constitution with relative ease, though the bitter minority report of the Pennsylvania opposition was widely circulated. They began to take exception to the Constitution "as it was," seeking amendments. Several conventions saw supporters for "amendments before" shift to a position of "amendments after" for the sake of staying in the Union. The New York Anti-Federalist "circular letter" was sent to each state legislature proposing a second constitutional convention for "amendments before", but it failed in the state legislatures. Ultimately, only North Carolina and Rhode Island waited for amendments from Congress before ratifying. The new Constitution would become operational when ratified by at least nine states. Only then would it replace the existing government under the Articles of Confederation and would apply only to those states that ratified it. Following contentious battles in several states, the proposed Constitution reached that nine-state ratification plateau in June On September 13, , the Articles of Confederation Congress certified that the new Constitution

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had been ratified by more than enough states for the new system to be implemented and directed the new government to meet in New York City on the first Wednesday in March the following year. The Senate of eleven states contained 20 Federalists with only two Anti-Federalists, both from Virginia. The House included 48 Federalists to 11 Anti-Federalists, the latter of whom were from only four states: By taking the initiative to propose amendments himself through the Congress, he hoped to preempt a second constitutional convention that might, it was feared, undo the difficult compromises of , and open the entire Constitution to reconsideration, thus risking the dissolution of the new federal government. Writing to Jefferson, he stated, "The friends of the Constitution, some from an approbation of particular amendments, others from a spirit of conciliation, are generally agreed that the System should be revised. But they wish the revisal to be carried no farther than to supply additional guards for liberty. He urged the legislators, whilst you carefully avoid every alteration which might endanger the benefits of an united and effective government, or which ought to await the future lessons of experience; a reverence for the characteristic rights of freemen, and a regard for public harmony, will sufficiently influence your deliberations on the question, how far the former can be impregably fortified or the latter be safely and advantageously promoted. Among his proposals was one that would have added introductory language stressing natural rights to the preamble. Several sought to protect individual personal rights by limiting various Constitutional powers of Congress. Like Washington, Madison urged Congress to keep the revision to the Constitution "a moderate one", limited to protecting individual rights. The English Magna Carta of inspired the right to petition and to trial by jury , for example, while the English Bill of Rights of provided an early precedent for the right to keep and bear arms although this applied only to Protestants and prohibited cruel and unusual punishment. That there be prefixed to the Constitution a declaration, that all power is originally vested in, and consequently derived from, the people. That Government is instituted and ought to be exercised for the benefit of the people; which consists in the enjoyment of life and liberty, with the right of acquiring and using property, and generally of pursuing and obtaining happiness and safety. That the people have an indubitable, unalienable, and indefeasible right to reform or change their Government, whenever it be found adverse or inadequate to the purposes of its institution. That in article 1st, section 2, clause 3, these words be struck out, to wit: That in article 1st, section 6, clause 1, there be added to the end of the first sentence, these words, to wit: That in article 1st, section 9, between clauses 3 and 4, be inserted these clauses, to wit: The civil rights of none shall be abridged on account of religious belief or worship, nor shall any national religion be established, nor shall the full and equal rights of conscience be in any manner, or on any pretext, infringed. The people shall not be deprived or abridged of their right to speak, to write, or to publish their sentiments; and the freedom of the press, as one of the great bulwarks of liberty, shall be inviolable. The people shall not be restrained from peaceably assembling and consulting for their common good; nor from applying to the legislature by petitions, or remonstrances for redress of their grievances. The right of the people to keep and bear arms shall not be infringed; a well armed and well regulated militia being the best security of a free country: No soldier shall in time of peace be quartered in any house without the consent of the owner; nor at any time, but in a manner warranted by law. No person shall be subject, except in cases of impeachment, to more than one punishment, or one trial for the same offence; nor shall be compelled to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law; nor be obliged to relinquish his property, where it may be necessary for public use, without a just compensation. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. The rights of the people to be secured in their persons, their houses, their papers, and their other property, from all unreasonable searches and seizures, shall not be violated by warrants issued without probable cause, supported by oath or affirmation, or not particularly describing the places to be searched, or the persons or things to be seized. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, to be informed of the cause and nature of the accusation, to be confronted with his accusers, and the witnesses against him; to have a compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence. The exceptions here or elsewhere

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in the Constitution, made in favor of particular rights, shall not be so construed as to diminish the just importance of other rights retained by the people, or as to enlarge the powers delegated by the Constitution; but either as actual limitations of such powers, or as inserted merely for greater caution. That in article 1st, section 10, between clauses 1 and 2, be inserted this clause, to wit: No State shall violate the equal rights of conscience, or the freedom of the press, or the trial by jury in criminal cases. That, in article 3d, section 2, be annexed to the end of clause 2d, these words, to wit: But no appeal to such court shall be allowed where the value in controversy shall not amount to â€” dollars: That in article 3d, section 2, the third clause be struck out, and in its place be inserted the clauses following, to wit: The trial of all crimes except in cases of impeachments, and cases arising in the land or naval forces, or the militia when on actual service, in time of war or public danger shall be by an impartial jury of freeholders of the vicinage, with the requisite of unanimity for conviction, of the right with the requisite of unanimity for conviction, of the right of challenge, and other accustomed requisites; and in all crimes punishable with loss of life or member, presentment or indictment by a grand jury shall be an essential preliminary, provided that in cases of crimes committed within any county which may be in possession of an enemy, or in which a general insurrection may prevail, the trial may by law be authorized in some other county of the same State, as near as may be to the seat of the offence. In cases of crimes committed not within any county, the trial may by law be in such county as the laws shall have prescribed. In suits at common law, between man and man, the trial by jury, as one of the best securities to the rights of the people, ought to remain inviolate. That immediately after article 6th, be inserted, as article 7th, the clauses following, to wit: The powers delegated by this Constitution are appropriated to the departments to which they are respectively distributed: The powers not delegated by this Constitution, nor prohibited by it to the states, are reserved to the States respectively. That article 7th, be numbered as article 8th. On September 24, , the committee issued this report, which finalized 12 Constitutional Amendments for House and Senate to consider. This final version was approved by joint resolution of Congress on September 25, , to be forwarded to the states on September Many Anti-Federalists, in contrast, were now opposed, realizing that Congressional approval of these amendments would greatly lessen the chances of a second constitutional convention. There might have been a federal Constitution without Madison but certainly no Bill of Rights.