

Name: \_\_\_\_\_ Class: \_\_\_\_\_

# The Bill of Rights

By James Madison  
1791

*The United States Bill of Rights is the name given to the first ten amendments to the United States Constitution. These ten amendments guarantee a number of freedoms or rights for citizens, limit some of the powers of the federal government, and reserve some powers to the states and public. As you read, take note of the language used to convey the document's purpose.*

## The Preamble to the Bill of Rights

- [1] Congress of the United States begun and held at the City of New-York on Wednesday the fourth of March, one thousand seven hundred and eighty nine.

The Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best ensure the beneficent<sup>1</sup> ends of its institution.



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Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, two thirds of both Houses concurring,<sup>2</sup> that the following Articles be proposed to the Legislatures of the several States, as amendments to the Constitution of the United States, all, or any of which Articles, when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes, as part of the said Constitution; viz.<sup>3</sup>

Articles in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant<sup>4</sup> to the fifth Article<sup>5</sup> of the original Constitution.

*[Note: the following text is a transcription of the first ten amendments to the Constitution in their original form. These amendments were ratified December 15, 1791, and form what is known as the "Bill of Rights."]*

1. **Beneficent (adjective):** resulting in good; generous
2. **Concur (verb):** to agree
3. Viz. is a term meaning "namely," "in other words," or "that is to say"
4. **Pursuant (adverb):** in accordance with
5. The part of the United States Constitution describing the process whereby the Constitution may be altered

## Amendment I

- [5] Congress shall make no law respecting<sup>6</sup> an establishment of religion, or prohibiting the free exercise thereof; or abridging<sup>7</sup> 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<sup>8</sup> 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,<sup>9</sup> shall not be infringed.<sup>10</sup>

## Amendment III

No Soldier shall, in time of peace be quartered<sup>11</sup> 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,<sup>12</sup> 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,<sup>13</sup> or otherwise infamous crime, unless on a presentment or indictment<sup>14</sup> 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.

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6. With regards to
  7. **Abridge (verb):** to cut short
  8. **Redress (noun):** remedy
  9. "the right to keep and bear arms" refers to the right to own and use weapons
  10. **Infringe (verb):** to disregard or restrict
  11. **Quarter (verb):** to be provided with housing
  12. **Seize (verb):** to take hold of suddenly and forcibly
  13. **Capital (noun):** (an offense or charge) liable to the penalty of death
  14. **Indictment (noun):** a formal charge or accusation of a serious crime

## Amendment VI

[10] 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<sup>15</sup> 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<sup>16</sup> for his defence.

## 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 re-examined in any Court of the United States, then 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<sup>17</sup> in the Constitution, of certain rights, shall not be construed<sup>18</sup> 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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15. **Ascertain** (*verb*): to make sure of or find out  
16. Legal help  
17. **Enumeration** (*noun*): a complete, ordered listing of all the items in a collection  
18. **Construe** (*verb*): to interpret in a particular way

## Text-Dependent Questions

**Directions:** For the following questions, choose the best answer or respond in complete sentences.

1. PART A: According to the Preamble, which of the following best describes the purpose of the Bill of Rights? [RI.6] [RI.2]
- A. To limit the States' powers by promoting the federal government's
  - B. To alter and secure rights for American citizens previously established in the U.S. Constitution
  - C. To prevent abuse of constitutional powers and to ensure these powers be used for good
  - D. To directly clarify the powers of the federal government and of the States provided by the U.S. Constitution

2. PART B: Which of the following paragraphs best supports the answer to Part A? [RI.1]
- A. Paragraph 1
  - B. Paragraph 2
  - C. Paragraph 3
  - D. Paragraph 4

3. PART A: Summarize and explain Amendments 9 and 10 in your own words. [RI.4] [RI.2]

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4. PART B: Which of the following best explains why these Amendments are important? [RI.9] [RI.1]
- A. Amendments 9 and 10 are important because they acknowledge rights/powers not written in the Constitution and therefore protects these unwritten rights/powers.
  - B. Amendments 9 and 10 are important because they give States more powers than previously afforded.
  - C. Amendments 9 and 10 are important because they acknowledge that the Constitution is not perfect and should be subject to (frequent) updating and change.
  - D. Amendments 9 and 10 are important because they suggest that the federal government may not always have the best interests for the States or the public at heart.

5. Which of the following statements best summarizes what all ten amendments have in [RI.3] common?
- A. They all promote the rights of a centralized governing body and thus the ideals of its author, James Madison.
  - B. They all address the problem of discrimination against certain groups of people, including those of different races, genders, and religions.
  - C. They all ensure that Americans will not face punishment upon being accused of a crime without being given access to a free and fair trial.
  - D. They all work to prevent government or governing authorities from abusing their powers, and in doing so securing certain rights for American citizens.

## Discussion Questions

**Directions:** *Brainstorm your answers to the following questions in the space provided. Be prepared to share your original ideas in a class discussion.*

1. Which amendment do you think is the most important for America today? Explain your answer.
2. How does the Bill of Rights emphasize individual rights?
3. If you were creating a new nation, would you write a Bill of Rights? Why? How would they be similar or different to this Bill of Rights?
4. Should it be easy or difficult for the government to change the Bill of Rights? Why? Explain your answer.
5. The Bill of Rights intentionally limits the powers of the American government. Is this unique to America? Explain your answer.