

LEVELED Book • X

The Bill of Rights

Congress of the United States
began and held at the City of New York, on
Wednesday the first of March, in the year of our Lord one thousand seven hundred and eighty nine.

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Written by David L. Dreier

The Bill of Rights



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Focus Question

What is the Bill of Rights,
and why is it important?

Words to Know

amendment	freedoms
Bill of Rights	principles
confederation	privacy
Constitution	racial segregation
Founders	revolution
freedom of speech	right

Front cover: A replica of the original Bill of Rights

Back cover: Thousands of people gather outside the Wisconsin State Capitol in February 2011.

Title page: University of California students protest for free speech at Berkeley in 1964.

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Mary Beth Tinker (right), with her mother, Lorena, and younger brother Paul, reacts to news of the Supreme Court's 1969 decision. Mary Beth was suspended for wearing a black armband to her junior high school.

Introduction

In 1969, the school district of Des Moines, Iowa, got a lesson about **freedom of speech**. The district punished five students in 1965 for wearing black armbands to school. The students had worn the armbands to protest the Vietnam War. The district told the students to remove the armbands, but the students kept them on. As a result, they were suspended from school. Three of the students and their parents filed a lawsuit against the district. The case was eventually decided by the Supreme Court of the United States.

The U.S. Supreme Court decided that the students had the **right** to wear the armbands. The Court based its decision on an **amendment** (a change or correction to a written document) to the U.S. **Constitution**. The Court said the wearing of black armbands was a form of speech that was protected by the First Amendment.

The First Amendment is part of the **Bill of Rights**, a list of ten amendments to the U.S. Constitution that protect citizens' **freedoms**. When Americans talk about their freedoms, they often are talking about the rights protected under the Bill of Rights.



The United States Supreme Court building in Washington, D.C.



The original U.S. Constitution, including the Bill of Rights, is on display at the National Archives Building in Washington, D.C.

The Highest Law of the Land

The Bill of Rights is part of the U.S. Constitution. The Constitution is the first and highest law of the country that was created when the United States was formed. All the other laws that get passed need to follow the **principles** in the Constitution. Where did the rights mentioned in the Constitution come from?

The United States was originally a group of thirteen colonies ruled by Great Britain. The American colonists felt that their rights were being ignored under the rule of the British king, George III. In 1775, they started a **revolution**. For the next eight years, the colonies fought a war against Great Britain to win their independence.

The colonists who helped create the United States of America were called the **Founders**. The Founders wanted to make a new government that would protect people's rights.

During the war with Great Britain, the Founders created a **confederation** of states with a weak central government. They didn't want to give their leaders the same powers as a king, so they gave most powers to the states.



American soldiers march to fight the British in this painting.

After the war ended, the Founders realized that their system of government was not working. In 1787, they decided to change the system of government. They met in Philadelphia to write a constitution that would set rules and guidelines for this new system. The Founders hoped to give the central government more power without giving it so much power that it could take away people's rights and freedoms.

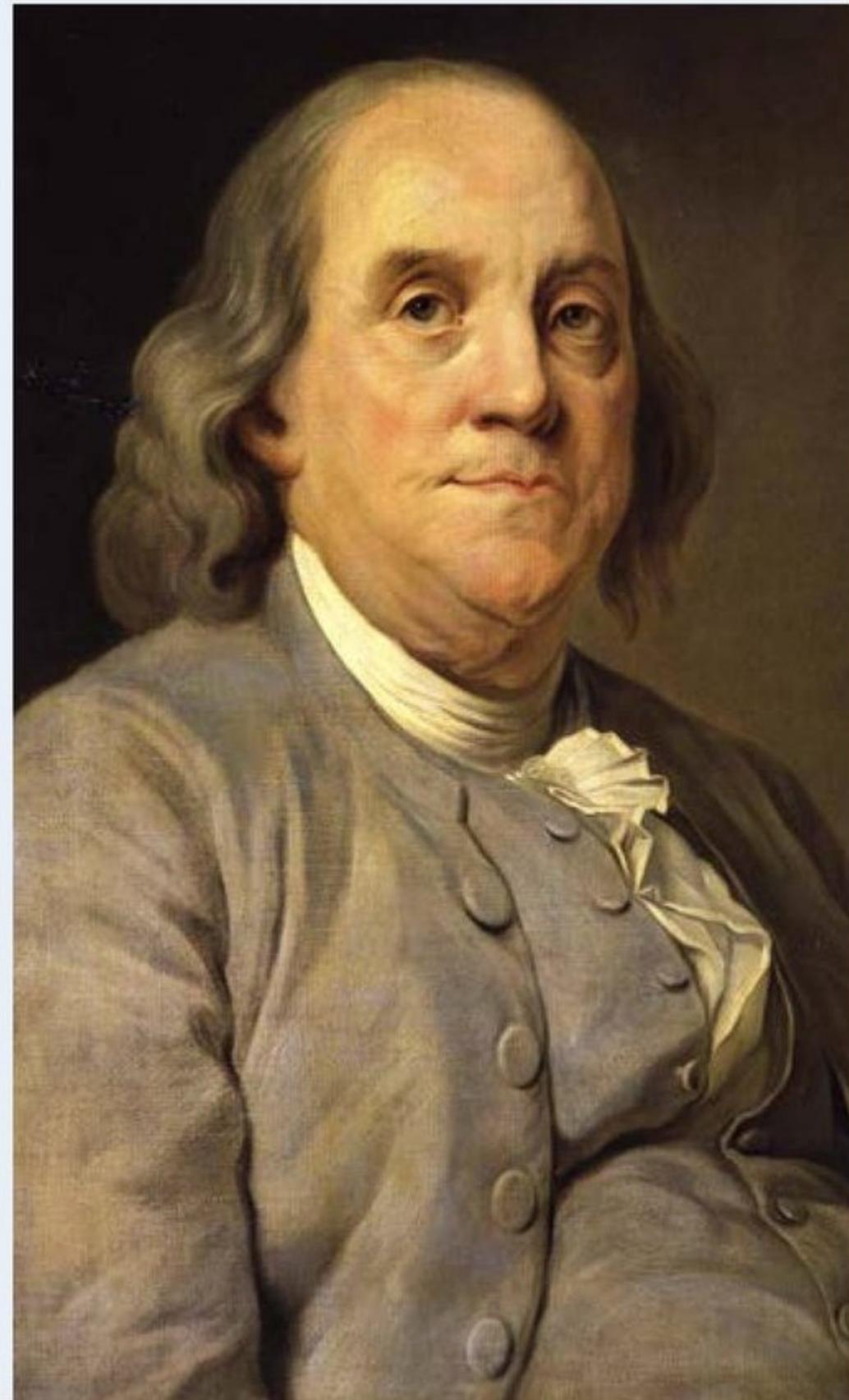
The new constitution was finished in September 1787. By mid-1788, all but two of the states had approved it. The Constitution then became the law of the land, and George Washington became the first president.



The American Founders debated the Constitution at Independence Hall in Philadelphia.

Thinking Critically

Benjamin Franklin was a famous author, inventor, scientist, and politician. He was one of the Founders who participated in the Constitutional Convention in Philadelphia in 1787. In 1755, Franklin wrote, "Those who would give up essential liberty to purchase a little temporary safety deserve neither liberty nor safety." What do you think he meant?



Adding the Bill of Rights

The two states that voted against the Constitution were North Carolina and Rhode Island. They said they would not approve the Constitution or join the government unless a bill of rights was added. Some of the Founders warned that adding a bill of rights could be dangerous. They argued that creating a list of rights might make people think that any rights not on the list were not protected.



James Madison (left) and Thomas Jefferson (right) helped create the Bill of Rights.

James Madison, a leading Founder, agreed with this position. However, another important Founder, Thomas Jefferson, had the opposite view. He said the Constitution needed a bill of rights.

Madison and Jefferson were both from Virginia. Their home state had a Declaration of Rights in its constitution. In fact, several state constitutions contained bills of rights. Jefferson said citizens' rights needed to be spelled out in the U.S. Constitution.

Do You Know?

The United States was not the first country to adopt a bill of rights that limited the powers of its government. England passed the English Bill of Rights in 1689—more than 100 years before the United States passed its own version.

Today, most democratic countries around the world have written documents that protect the civil and political rights of their citizens. Canada, New Zealand, South Africa, Germany, India, and Japan all have written constitutions that include a bill of rights. Forty-seven nations in and around Europe have adopted the European Convention on Human Rights, which protects many of the same rights as those found in the U.S. Bill of Rights.

Madison finally agreed. He set about creating a bill of rights. Madison used the Virginia Declaration of Rights as one of his models.

Madison wrote a bill of rights that would create twenty amendments to the Constitution. Congress cut that number down to twelve. Those amendments were given to the states in 1789. North Carolina and Rhode Island now believed that people's rights would be protected. By the end of 1791, the required three-fourths of the states had agreed to ten of the twelve amendments. Those ten amendments became the Bill of Rights.

What Does the Bill of Rights Protect?

The Bill of Rights protects many individual rights. Let's look at some of the most important rights protected by the Constitution.

The First Amendment protects freedom of speech. It also guarantees freedom of the press and of religion. It says that citizens have the right to ask their government to change laws that they don't agree with. It also says that people are free to meet in groups for peaceful purposes.



Marchers exercise their right to demonstrate in San Francisco, California, in November 2011.



Freedom of the press covers many forms of media, including television, newspapers, radio, and the Internet.

Freedom of the press means that reporters have a right to share news and opinions with the public. In the 1700s, newspapers and other printed materials were the only sources of information. Today, freedom of the press also protects information on the radio, television, and the Internet.

Freedom of religion is also an important First Amendment right. Many countries around the world have one official religion. The First Amendment says that the United States can't do that. Americans are free to practice any (or no) religion as they wish.

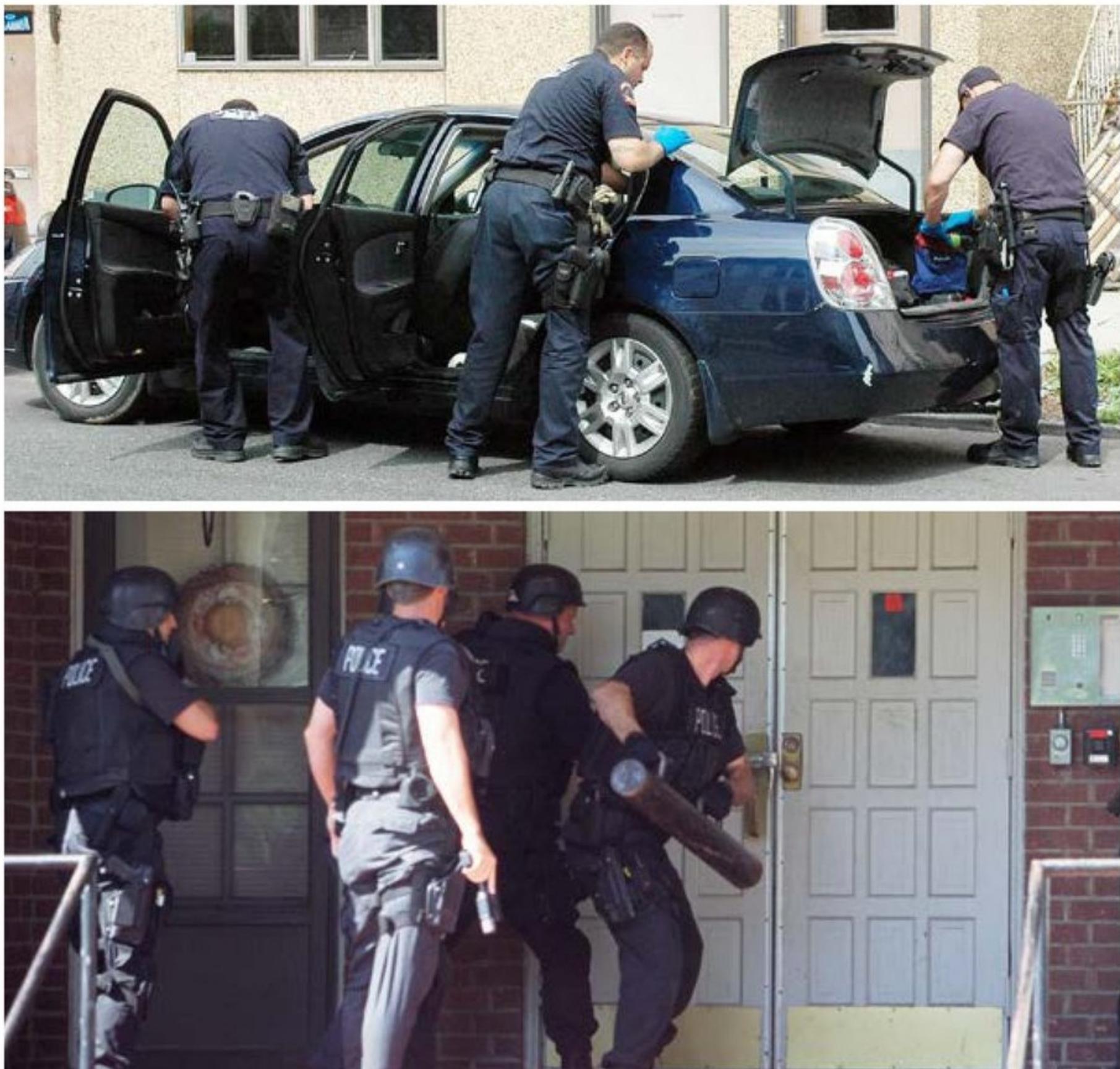


A man holds a sign to support freedom of religion during a rally near the World Trade Center site in New York in 2010.

Important Events for the U.S. Constitution

<u>Year</u>	<u>Event</u>
1775	American Revolutionary War begins
1776	Continental Congress approves the Declaration of Independence
1781	American Revolutionary War ends
1787	U.S. Constitution written
1788	U.S. Constitution approved
1791	The Bill of Rights (first ten amendments) added to the Constitution
1865	13th Amendment — Slavery abolished
1868	14th Amendment — Rights of citizenship granted to all people born in the United States or naturalized
1870	15th Amendment — Right to vote given to all male citizens, regardless of color or race
1920	19th Amendment — Women gain right to vote
1971	26th Amendment — Voting age lowered to 18

The Second Amendment is still widely debated today. It gives citizens the right to own and use weapons. Some people think this amendment was meant to apply just to militia groups such as the National Guard. Other people think the amendment gives all Americans the right to own and use weapons.



The Bill of Rights says that police officers need to have a good reason to think someone has done something against the law before they can search their property.

The Fourth Amendment says police officers can't search or arrest someone unless they have a good reason to think that person has committed a crime. Because of this amendment, the police must ask a judge to give them permission before they can search someone's property. Without this right, police officers could search people's homes, workplaces, or cars anytime for no reason at all, which would mean that people would have almost no right to **privacy**.

Three parts of the Bill of Rights protect people who have been charged with crimes. Those parts are the Fifth Amendment, the Sixth Amendment, and the Eighth Amendment.

The Fifth Amendment says that nobody can be forced to stand trial for a serious crime unless a group of citizens agrees that there is good reason to think the person may be guilty of that crime. The criminal charge must be proved in court before the person can be punished in any way. Someone found not guilty of a crime cannot be charged again for the same crime.



A person accused of committing a crime stands in court before a judge.



A crowd in Great Britain shouts insults at men forced to stand in wooden stocks as punishment for their crimes in this painting from 1805.

The Sixth Amendment says that a trial must be held as soon as possible. It must be a public trial and must be conducted fairly in front of a jury.

The Eighth Amendment says that punishments for crimes can't be "cruel and unusual." At the time this amendment was written, some criminals were punished by being burned with red-hot branding irons. Others were locked into wooden stocks in public spaces where crowds could throw things at them. Today, those punishments would not be allowed.

Other Important Amendments

More than two hundred years have passed since the Bill of Rights was created. During that time, many other amendments have been added. Today, the Constitution has twenty-seven amendments, including many that protect people's rights.

Two of the most important amendments in the 1800s were the Thirteenth and Fourteenth Amendments. They were passed after the Civil War (1861–1865). The Thirteenth Amendment outlawed slavery in the United States. The Fourteenth Amendment made all former slaves U.S. citizens. It also promised “equal protection of the laws” for all U.S. citizens, regardless of their race. The Fourteenth Amendment was the key reason behind the Supreme Court decision that ended **racial segregation** of schools in America in 1954.



The Supreme Court ended school segregation in a decision in 1954.



Women in Cleveland, Ohio, organize for the right to vote in 1912.

Another important amendment was the Nineteenth Amendment. It was the amendment that finally gave women the right to vote. Women organized and fought for this right for more than seventy years before the amendment passed in 1920.

Passing a new amendment is not easy. Amendments can only be proposed by Congress or through a Constitutional Convention called for by two-thirds of all the state legislatures. Once an amendment has been proposed, three-fourths of all the states legislatures must vote in favor of it for it to be ratified, or become law.

Standing Up for Rights Today

The Bill of Rights and other amendments to the Constitution guarantee the rights of all Americans, but sometimes people have to fight to keep their rights. That's what happened to Alondra Jones.

Alondra was an honor student at a public high school in San Francisco in the year 2000. Although she was a top student, Alondra struggled to graduate because her school had so many problems. Her high school didn't have enough textbooks to go around, and there were no computers for students to use.

Rats roamed the hallways, and the buildings were filthy. One day, Alondra visited another school where students had books, computers, and clean, safe buildings. That trip made Alondra realize that her school was very different from many other schools in her state.



Alondra Jones appeared at a panel discussion called "Youth Stand Up for Freedom" in Washington, D.C., in 2006.

Alondra decided to stand up for her rights. She joined almost one hundred other students in a lawsuit that forced the State of California to change the way it funded its public schools. The court that decided the case said that California was not giving “equal protection” to its students as required by the Fourteenth Amendment. It said that students like Alondra had a right to expect public schools in which they could get a good education.

Research More...

To read the original text of all ten amendments in the Bill of Rights and learn the purpose of each one, go to: www.archives.gov/exhibits/charters/bill_of_rights.html



Governor Arnold Schwarzenegger announced plans to give California schools more money in 2005 as a result of the lawsuit that Alondra Jones became involved in.



Protestors fill the capitol building in Madison, Wisconsin, in February 2011.

Conclusion

The story of individual rights in America is not over. It began with the Constitution and the Bill of Rights. It continues to change through new laws, new amendments, and the actions of citizens who are willing to stand up for their rights.

The Founders of the United States created a system that promised liberty and freedom to its citizens. It is up to all Americans to keep that promise alive.

Glossary

amendment (n.)	a change or addition to a document or law (p. 5)
Bill of Rights (n.)	the first ten amendments to the United States Constitution, which guarantee certain rights (p. 5)
confederation (n.)	a unified organization of states, provinces, or groups with a limited central authority (p. 7)
Constitution (n.)	the set of written rules and principles upon which United States laws are based (p. 5)
Founders (n.)	the group of men who helped to establish the United States and its system of government (p. 7)
freedom of speech (n.)	the right of people to share their opinions publicly (p. 4)
freedoms (n.)	the political rights and powers to act and think as one wishes (p. 5)
principles (n.)	basic values or ideals that guide actions or decisions (p. 6)
privacy (n.)	the state of being alone or not watched or bothered by other people (p. 16)
racial segregation (n.)	the separation of groups of people from one another based on race (p. 19)
revolution (n.)	the removal of a government from power by force and its replacement with another (p. 7)
right (n.)	a freedom or power that a person can justly claim (p. 5)

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Connections

Writing and Art

If you were one of the Founders of the United States, would you have supported the Bill of Rights or opposed it? Why?

Write an essay defending your position.

Social Studies

Choose one of the ten amendments in the Bill of Rights. Research this amendment and design a poster explaining the freedoms it protects.

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