

What is the BILL OF RIGHTS?

- Amendments 1-10 of the Constitution

When was the Bill of Rights added to the Constitution? (1791)

Why was it added to the Constitution? What did ANTIFEDERALISTS have to do with getting a Bill of Rights added to the Constitution?

Who wrote the Bill of Rights? (James Madison)

What are CIVIL RIGHTS? (Rights protected by the Constitution) examples:

What government institution interprets the Constitution and helps define, on a case-by case-basis, what actions are protected and limited by the Bill of Rights? What is this power to interpret the Constitution known as?

Do people have unlimited rights? If not, where do those rights end?

<p>~THE FIRST AMENDMENT~</p>

What rights are protected by the First Amendment? What freedom do all five of these first amendment rights relate to?

How is each right in the first amendment considered a form of expression?

RELIGION-

SPEECH-

PRESS-

ASSEMBLY-

PETITION-

~1st AMENDMENT: FREEDOM OF RELIGION ~

What are the two clauses in the 1st amendment maintains a separation of religion and government? Define each.

1. Establishment Clause-
2. Free Exercise Clause-

What is the term that describes a division between religion and government?

What does the term SEPARATION OF CHURCH AND STATE mean?

Give an example from a case we discussed of a religious practice that was *protected* by the first amendment.

Give an example from a case we discussed of a religious practice in which the supreme court upheld a *limit* on religious practice.

Give an example from a case we discussed of a religious practice in which the supreme court found the establishment clause had been violated.

~1st AMENDMENT: FREEDOM OF SPEECH ~

What is considered “speech” protected by the first amendment?

- verbal communication
- art and music
- what a person writes
- the way a person dresses
- sign language or body language
- SYMBOLIC SPEECH- an action that expresses an idea

What are UNPOPULAR VIEWS? Are views that are unpopular protected if the majority of people disagree with them?

What are the restrictions on free speech?

- speech that creates a CLEAR AND PRESENT DANGER or threat to national security
- INCITING A RIOT or FIGHTING WORDS
- OBSCENITY
- HARASSMENT

What was the TINKER vs. DES MOINES BOARD OF ED case? How is this a case of Symbolic Speech?

What was the SCHENCK v UNITED STATES case? How did the Supreme Court define a limit on free speech in this case?

~1st AMENDMENT: FREEDOM OF PRESS~

What is “press?”

What is the purpose of a free press? Why is it protected by the first Amendment?

What are the different types of press?

- Print= newspapers and magazines
- Broadcast= TV and Radio
- Electronic=internet

Discussion question: What kind of media do you watch/view? How do you use press/media to be informed?

When press is controlled by the government, what can it be used for?

What are the restrictions of press?

-What is LIBEL?

statements that are LIBEL are

1. published
2. untrue
3. damaging to a person’s character and reputation

Discussion questions: --Should press be more restricted? -- Is media objective enough? --Does the modern media fulfill its role in informing the public? --How can media improve?

~1st AMENDMENT: FREEDOM OF ASSEMBLY/ FREEDOM TO PETITION ~

How is assembly/association protected?

- People can physically gather
- membership in clubs, political parties,
- interpersonal relationships
- people can gather, for political, social or religious purposes

What are the restrictions/regulations of assembly/association

What does it mean to “petition the government?” What are ways people can petition the government?

~SECOND AMENDMENT~

What are *arms*, as referenced by the second amendment?

How does the government use guns?

How do private citizen use guns?

How are guns regulated?

What do advocates of GUN CONTROL want?

What is the NRA? (NATIONAL RIFLE ASSOCIATION? What do they stand for?

~THIRD AMENDMENT~

What does the third amendment protect people from?

What does it mean to “quarter troops”

~FOURTH AMENDMENT~

What right does the Fourth Amendment protect? (privacy)

What does the Fourth Amendment protect people from?
(UNREASONABLE SEARCH AND SEIZURE)

What is Unreasonable Search and Seizure? What is Reasonable Search and Seizure?

What is STOP AND FRISK

What is a WARRANT?

What areas of your privacy does the fourth amendment protect?

What is the exception of the warrant requirement?

- if the police have PROBABLE CAUSE/REASONABLE SUSPICION
- HOT PURSUIT
- are acting in an emergency (*exigent circumstances*),
- see something in PLAIN VIEW,
- or are about to search you before they arrest you (a.k.a. *search pursuant to an arrest*)

~FIFTH AMENDMENT~

What is a GRAND JURY? How does the 5th Amendment protect your right to a Grand Jury?

What is an INDICTMENT?

What is DOUBLE JEOPARDY? How does the 5th Amendment protect you against it?

What is DUE PROCESS?

What is SELF-INCRIMINATION?

What does the Fifth Amendment say in regard to eminent domain?

- EMINENT DOMAIN is the right of government to take your property for public use
- Amendment five says that if the government takes your property for public use, they have to give you “just compensation” [pay you for it])

~SIXTH AMENDMENT: Right to a fair trial~

What rights are guaranteed by the sixth amendment? protect citizen's right to a fair trial\

The sixth amendment protects a citizen's right to a fair trial. Rights specifically mentioned by amendment six are:

- right to an IMPARTIAL JURY-
- right to a SPEEDY & PUBLIC TRIAL
- right to an attorney/counsel
- right to know what you're being charged with
- right to question your accusers/witnesses called against you
- right to a compulsory process for obtaining witnesses

What is a SUBPOENA? How does the power to subpoena witnesses protect your right to a fair trial?

What is PERJURY?

What is OBSTRUCTION OF JUSTICE?

What is the MIRANDA WARNING? How does it relate to rights protected by the Bill of Rights?

~SEVENTH AMENDMENT~

How does the seventh protect Amendment in a civil case?

- if there is a lawsuit for more than \$20, you have the right to a jury trial

According to the seventh amendment, can another court, other than an appeals court, overturn another court's decision?

What is the difference between a CIVIL CASE and a CRIMINAL CASE?

Who are the parties involved in a Civil Case?

the person suing, and seeking damages (like money)

the person being sued-

Who are the parties involved in a Criminal case?

the party trying to prove guilt

the party trying to prove their innocence

~EIGHTH AMENDMENT~

What is considered CRUEL AND UNUSUAL punishment?

What is BAIL? What does the eighth amendment say in regard to bail?

What is a FINE? What does the eighth amendment say in regard to fines?

~NINTH AMENDMENT~

How does the Ninth amendment protects rights not mentioned in the bill of rights?

- The ninth amendment says that any right not listed in the Bill of Rights are still retained (kept) by the people

~TENTH AMENDMENT~

What does the tenth Amendment say about powers not given to the Federal Government by the Constitution?

- The tenth amendment says that powers not given to the Federal Government are reserved (kept) by the states

~OTHER CIVIL RIGHTS IN THE U.S. CONSTITUTION~

What other civil rights are mentioned in the Constitution?

13th

14th

15th

19th

26th

DISCUSSION QUESTION: *In your opinion, should any rights be added to the Constitution? Should any be taken away? If you were going to propose a Constitutional amendment, either regarding a civil right or anything else about the government (changing or adding a power, term limit, qualification of office, etc.) what would it be about?*