**The first 10 amendments** **To the U. S. Constitution:**

**Who determines what the Bill of Rights mean?**

* The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ makes rulings on the meaning
* The Supreme Court balances the rights of the individual with the needs of society

**The first amendment— 5 rights mentioned:**

* Freedom of Speech
* Freedom of Religion
* Freedom of the Press
* Freedom of Assembly
* Right to petition the government

**Freedom of Religion:**

* *“Congress shall make no law respecting an establishment of religion or prohibiting the free exercise there of”*
* Two clauses:
	+ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ clause
	+ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ clause

**Establishment and free exercise clause often conflict with each other:**

* In schools, the religion issue is most prevalent
	+ If a student raises his hand and says “teacher, can we say an opening prayer before this test”
	+ If the teacher says:
	+ “Yes”, It looks like establishment of religion
	+ “No”, It is denying a student free exercise.

**Establishment Clause—Government cannot promote religion:**

|  |
| --- |
| **Establishment clause-Government** |
| **Cans** | **Cannot** |
| * **Teach about religions in school**
* **Allow voluntary prayer in many examples**
* **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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* **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
* **Teach religious doctrine in the school**
* **Pay seminary teachers**
* **Teach creationism**
 |

**Free exercise of religion:**

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| --- |
| **Free Exercise** |
| **Cans** | **Cannot** |
| * **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
* **Lead a prayer in most examples**
* **Ask questions about religions**
* **Worship who ever you want**
 | * **Break the law and claim it is religious belief**
* **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
* **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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**Freedom of speech:**

* *“Congress shall make no laws . . . abridging the freedom of speech”*

**Free speech– The individual can:**

* Say any political belief
* Protest (without getting out of control)
* Say things about someone that are true
* Burn the flag
* Say racist and hate slogans
* Free speech means someone might say something you disagree with

**Free speech—limits on the person:**

* Threaten to blow up airplanes, schools or the president
* Sexual harassment
* Create too much social chaos
* Extremely crude language in a public form
* Disrespectful, vulgar language in school
* Hate crimes

**Freedom of the press:**

* *Congress shall make no law . . . abridging . . . the freedom of the press.”*

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| --- |
| **Freedom of the press-the press** |
| **Cans** | **Cannot** |
| * **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
* **Make fun of people, especially politicians**
* **Expose wrongs by the government**
* **Say things you might not agree with**
 | * **Libel– intentionally injuring a person’s reputation by false facts**
* **Disclose defense-security secrets**
* **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_** |

**Freedom of Assembly:**

* *Congress shall make no law . . . Abridging . . . The people to peaceably assemble”*

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| --- |
| **Freedom of Assembly--Individual** |
| **Cans** | **Cannot** |
| * **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
* **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (with a permit)**
* **Parade chanting hate slogans**
* **Gang members can congregate in public**
 | * **Protest by throwing rocks and breaking windows**
* **Hang out on private land against owners will—loitering**
* **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
 |

**Petition the Government:**

* *“Congress shall make no law . . . Abridging . . . the people. . . to petition the government for a redress of grievances”*
* You may \_\_\_\_\_\_\_\_\_\_ the government for wrongs
* You cannot be punished for exposing wrongs by the government
* The courts decide the wrongs

**2nd Amendment—Right to bear arms:**

* *“A well-regulated militia, being necessary to the security of a free state, the right of the people to bear arms shall not be infringed.”*

**Third Amendment:**

* The Government cannot force you to shelter soldiers in your home without your consent in time of war or peace.

**Rights of the Accused Amendments #4-8 Important to preserve freedom:**

**Fourth Amendment:**

* What does a policeman need in order to search your home?
	+ A warrant given to him by a \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
	+ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is also needed

**Fifth Amendment:**

* You cannot be tried for the same crime twice—called “Double Jeopardy”
* You do not have to testify against yourself. “I plead the fifth”
* You must have due process of law before you are convicted
* The government cannot take your land unless it pays.

**Sixth Amendment:**

* Right to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ trial by impartial jury—meaning not favoring either side

**Sixth Amendment continued:**

* You must be ­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ of charges
* You must be provided a lawyer if you cannot afford one

**Seventh Amendment:**

* Can opt out and get a trial by judge
	+ Why? Quicker and if lawyer feels judge will give better opportunity
	+ Not criminals acts, but lesser ones: CIVIL
* Jury Trial in \_\_\_\_\_\_\_\_\_\_\_\_\_\_ cases

**Eighth Amendment:**

* No excessive bail
* No cruel and unusual punishment

**Ninth Amendment**--**all rights not listed, are covered for YOU!**

* Called \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ rights
* Not sure what would come up over time
* Right to marry who you choose
* Right to attend college of your choice ETC…

**Tenth Amendment**--***any right not given to federal gov’t are…***

* Given to \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Called reserved powers or states powers!!!
* Anti-feds happy!
* Prevents congress and president from becoming too strong!