

The Bill of Rights and Later Amendments

Congress cannot make laws that violate Americans' basic freedoms, including freedom of speech, religion, and the press. Citizens have the right to gather peacefully and to ask the government to correct wrongs.

Citizens have the right to own and carry weapons for use in state militias.

In peacetime, the government cannot force citizens to let soldiers stay in their homes.

Government officials cannot search citizens or their property, or seize their belongings, without good reason. Normally, searches and seizures require a warrant approved by a judge.

Citizens who are accused of crimes have certain basic rights. They cannot be tried twice for the same crime, or be forced to testify against themselves. They cannot be jailed or lose their property except through proper legal actions.

Citizens who are accused of crimes have the right to a trial by jury that is fair and public. They have the right to question witnesses, and they have the right to a lawyer.

Citizens have the right to demand a jury trial to settle disputes over things of value.

Original Ten Amendments: The Bill of Rights

Passed by Congress September 25, 1789. Ratified December 15, 1791.

AMENDMENT 1 BASIC FREEDOMS

Congress shall make no law respecting an establishment of religion, or prohibiting 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 2 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 3 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 4 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 5 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 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 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 6 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 defence.

AMENDMENT 7 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 common law.

AMENDMENT 8

BAIL, FINES, PUNISHMENT

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

AMENDMENT 9

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.

AMENDMENT 10

STATES' RIGHTS

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.

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.

Ratified February 7, 1795.

AMENDMENT 12

PRESIDENTIAL ELECTIONS

The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. 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. [And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President.]¹² The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number 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.

Ratified June 15, 1804.

Bail and fines that are set by a court must be reasonable. Punishments for crimes cannot be cruel or unusual.

The government must respect all the rights of Americans, including rights that are not listed in the Constitution.

The states and the people keep any powers that the Constitution does not specifically give to the federal government.

People cannot sue a state in federal court if they are citizens of a different state, or of a foreign country.

The vice president will be elected separately from the president. In the original Constitution, the candidate who finished second in the voting for president automatically became vice president. Under that system, the president and vice president were likely to be political enemies. The Twelfth Amendment allows the same political party to win the elections for both president and vice president.

¹²Superseded by Section 3 of the Twentieth Amendment