

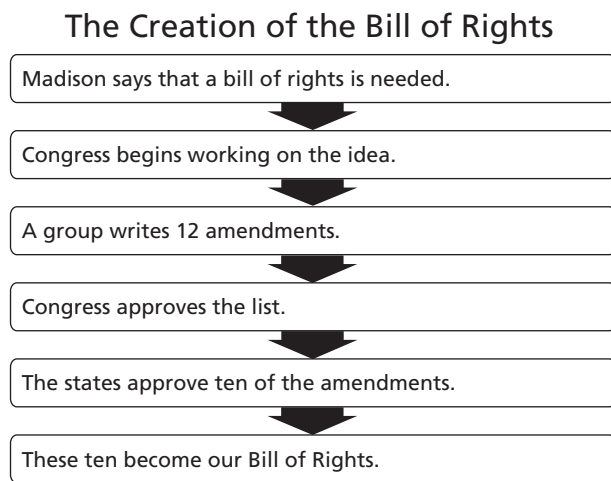
Section 1
Adding the Bill of Rights

Objectives

1. Understand the amendment process.
2. Learn about the debate in Congress over the Bill of Rights and its ratification.

Target Reading Skill

Understand Sequence Looking at the sequence of events will help you understand and remember the events. **Sequence** is the order in which events happen. This diagram shows the sequence of events leading up to the adoption of the Bill of Rights.



Vocabulary Strategy

Using Roots and Prefixes You know that a prefix is a word part that is added before a root. A root is the word part that gives a word its basic meaning. A word with both a root and a prefix brings together the meanings of both.

For example, the prefix *pro-* means “forward, in front of, or for.” The root “*duc*” means to lead. “Produce” means to lead forward or bring forth.

Section 1 Summary

Target Reading Skill

Understand Sequence Reread the bracketed paragraph. Which happens first: Do the states ratify an amendment or is an amendment proposed to the states?

Vocabulary Strategy

Using Roots and Prefixes Use the prefix and root of the underlined word to explain its meaning. The root means “put.”

Reading Check

Why is having a formal amendment process important?

- ¹ The **Bill of Rights** became part of the Constitution after the states approved it. The Federalists had promised that a bill of rights would be added to the Constitution. This change in the Constitution was the ⁵ first test of the **amendment process**.

The Amendment Process

Amendments to the Constitution must be approved at both the national and state levels. First an amendment is approved at the national level. Next, it is proposed to the states. Then, the states either ratify or reject it.

- ¹⁰ An amendment can be proposed to the states in two ways. Congress may propose an amendment, but only if it has been approved by a vote in the Senate and the House of Representatives. Congress has proposed 27 amendments that are now part of our Constitution. A ¹⁵ national **convention** may also propose an amendment. The convention must be called for by two thirds of state legislatures. A national convention has not yet been used to propose an amendment.

- There are two ways for the states to ratify an ²⁰ amendment. Usually an amendment is approved by three fourths of the state legislatures. It can also be approved by special conventions in three fourths of the states. Congress chooses which way an amendment will be approved.

Key Terms

Bill of Rights (BIL UV RĪTS) *n.* a list of the people’s rights that was added to the Constitution after it was ratified

amendment process (uh MEND munt PRAH ses) *n.* the way in which changes are made to the Constitution

convention (kun VEN shun) *n.* a gathering of people

The Debate in Congress

25 The amendment process for the Bill of Rights began in Congress. In 1789, James Madison told members of the House that a bill of rights was needed. Many Americans believed that the Constitution did not protect their rights. Madison argued that a bill of rights
30 would “make the Constitution better” for those people.

After some debate, Congress began to work on a bill of rights. It made a list of rights. The list drew from the English Bill of Rights, state constitutions, and other documents. Members of Congress also discussed where to
35 place the Bill of Rights. Madison wanted it within the articles of the Constitution. That would show its connection to limits already placed on the government. Most members of Congress voted to put the Bill of Rights at the end. They did not want the list to have the
40 same importance as the original Constitution.

A committee in Congress wrote 12 amendments. Ten of these protected the people’s rights. Congress approved the amendments. It then proposed them to the states. People who did not trust the new govern-
45 ment before welcomed the amendments. Two amendments did not get enough support. By 1791, the states had ratified the ten amendments that protected citizens’ rights. The Bill of Rights had become part of the Constitution.

Review Questions

1. Describe the two ways that an amendment can be proposed to the states.

2. Explain where different groups wanted the Bill of Rights to be placed in the Constitution and why.

✓ Reading Check



Bracket the sentence(s) that explain the debate over where to place the Bill of Rights in the Constitution.

Vocabulary Strategy

Using Roots and Prefixes Look at the word *process*. Its root, *cess*, means “go.” Use the word’s parts to help explain its meaning.



Section 2
Protections in the Bill of Rights

Objectives

1. Understand how the First Amendment protects individual freedoms.
2. Find out how the Bill of Rights protects people against abuse of power by the government.
3. Learn how the Bill of Rights protects people accused of crimes.
4. Discuss the protections of other rights outlined in the Ninth and Tenth Amendments.



Target Reading Skill

Understand Sequence You have learned that sequence is the order in which events happen. But sequence is not just time order. It can also be order of importance. Or it can be some other order that organizes ideas or other items. As you read, consider the order of and the information in the first ten amendments. The First Amendment, for example, deals with different freedoms.

Vocabulary Strategy

Using Roots and Prefixes Remember, a prefix is added before the root of a word. As you read, pay attention to prefixes and roots of words you do not recognize. These word parts can often help you figure out the meaning of a word. If you do not know the meaning of a prefix or root, look it up in a dictionary. Then see if you can combine the meaning of the prefix with the meaning of the root to unlock the word’s meaning.

Word	Prefix	Root	Meaning
protect	pro- “in front”	tect “cover”	“guard, defend”

Section 2 Summary

- ¹ The first ten amendments are known as the Bill of Rights. They were added to the Constitution to protect citizens' rights. The Bill of Rights did not change any basic ideas of the Constitution. It describes basic rights
- ⁵ that are protected under our form of government.

Protections of Individual Freedoms

The First Amendment protects a number of freedoms for every American.

First Amendment

Freedom of Religion

- the right to follow the religion of your choice, or not to practice any religion
- **separation of church and state**

Freedom of Speech

- the right to speak and write freely
- people are not free to slander, or tell lies about, a person

Freedom of the Press

- the right to print or publish information and opinions
- people are not free to libel, or print lies about, a person

Freedom of Assembly

- the right to assemble, or meet together
- gatherings must be peaceful and not go against others' rights

Freedom of Petition

- the right to ask a government representative to change a law, make a new law, or solve problems in other ways
- ways to petition, or make a request, include letters, e-mail, telephoning, and petitions

✓ Reading Check

List ways you use the basic freedoms of the First Amendment every day.

Target Reading Skill

Understand Sequence



Circle the sentence that describes the First Amendment. Why do you think such rights were described in the first amendment in the Bill of Rights?

Key Terms

separation of church and state (sep uh RAY shun UV CHERCH AND STAYT) *n.* the idea that the government may not be involved in anything related to religion

Vocabulary Strategy

Using Roots and Prefixes Use a dictionary to find the meaning of the prefix in the underlined word. Then circle the letter of the correct meaning of the word.

- a. good use
- b. bad use
- c. no use
- d. none of the above

✓ Reading Check

Explain how the amendments that protect against abuse of power also protect Americans' right to privacy.

✓ Reading Check

Why is it important for all people to have due process of law?

✓ Reading Check

How might the Ninth and Tenth amendments have helped form a lasting Constitution?

Protections Against Abuse of Power

The Second Amendment deals with people's right to own guns. The Third says the government must get
10 permission to let soldiers use citizens' homes. The Fourth says the police cannot search people (or their homes) without good reason. The Fifth protects citizens from abuse of the power of **eminent domain**.

Protections of an Accused Person's Rights

The Fifth, Sixth, Seventh, and Eighth Amendments
15 describe the rights of an accused person. The Constitution says that citizens are allowed **due process of law**.

The Fifth Amendment says that an accused person cannot be forced to confess. It also protects citizens from **double jeopardy**. The Sixth protects a citizen's
20 right to a speedy, public, and fair trial. The Seventh permits jury trials. The Eighth protects accused persons from "cruel and unusual punishments."

Protections of Other Rights

The Ninth Amendment says that citizens' rights are not limited to the rights listed in the Constitution. The
25 Tenth says that the powers not mentioned in Article 1 belong to state governments or to the people.

Review Questions

1. Which amendments describe the rights of an accused person?

2. What does the Ninth Amendment say?

Key Terms

eminent domain (EM uh nent do MAYN) *n.* the power to take private property for public use

due process of law (DOO PRAH ses UV LAH) *n.* the system in which government must treat accused persons fairly

double jeopardy (DUB ul JEP er dee) *n.* being placed on trial twice for the same crime

Section 3
Interpreting the Bill of Rights

Objectives

1. Determine the role of the courts in interpreting citizens' rights.
2. Examine the definition of freedom of speech and students' rights in the *Tinker* case.
3. Describe how the courts protected freedom of expression for extreme groups in the *Skokie* case.
4. Understand that protecting the rights of citizens is a continuing challenge for all.

Target Reading Skill

Recognize Words That Signal Sequence Signal words can help you understand how ideas or events are related, or connected. The words in the chart signal the sequence, or order, of events. The word *in* followed by a date also points out the order of events.

Sequence Signal Words					
first	next	last	then	before	during
after	finally	second	third	later	when

Vocabulary Strategy

Using Roots and Prefixes Several prefixes mean “not.”

Prefixes with the Meaning “Not”			
dis-	in-	non-	un-

As you read, use what you know about the meaning of these prefixes to figure out the meaning of words you do not recognize. Read this sentence:

What happens when people disagree about the meaning of our rights under the Constitution?

When you know that *dis-* means “not,” you know that *disagree* means “do not agree.”

Section 3 Summary

✓ Reading Check

Briefly describe a conflict involving citizens' rights in which neither party is clearly right or wrong.



Target Reading Skill

Recognize Words That Signal Sequence What does the underlined phrase tell you about the *Tinker* case?

✓ Reading Check

List some other symbols that are protected by the First Amendment.

- ¹ The rights of citizens are often hard to interpret, or explain. The first ten amendments to the Constitution do not say how rights apply in every case. Sometimes certain rights have to be weighed against others. The
- ⁵ meaning of **freedom of the press** and **freedom of speech**, for example, may be different in different cases.

The Role of the Courts

Judges must decide whether laws go against people's rights. The two cases below are **case studies**. They show how ideas in the Constitution apply to real events.

Students and Free Speech

- ¹⁰ The *Tinker* case involved two questions. What is meant by "speech" in freedom of speech? What rights do students have under the Constitution?

In 1965, Mary Beth Tinker, her brother, and another student wore black armbands to school. They were

¹⁵ protesting the Vietnam War. School officials said the students could not wear armbands and suspended the students. The Tinkers' parents argued that the school was not allowing the students freedom of speech. School officials said the armband rule helped to keep

²⁰ order. They also argued that schools were not places for political protests.

The case went before a local court first. It decided that the rule against armbands was needed. A higher court agreed. Then the Supreme Court heard the case.

²⁵ It decided the students were right. It said that symbols such as armbands are forms of speech. It also said that the protest did not interfere with other students' right to an education. Most importantly, the Court ruled that students have a basic right to free speech.

Key Terms

freedom of the press (FREE dum UV THUH PRES) *n.* the right to print newspapers, magazines, and other materials without government control

freedom of speech (FREE dum UV SPEECH) *n.* the right to say what you think

case studies (KAYS STUD eeZ) *n.* descriptions of events and issues and how they were handled

The Skokie Case: Freedom for Nazis?

30 In 1977, members of the American Nazi Party applied for a permit to march in Skokie, Illinois. Forty thousand Jews lived in the town. Many had survived the death camps of World War II. These camps had been set up between 1938 and 1945 by the German dictator and Nazi party leader Adolf Hitler. The city of Skokie tried to stop the march. It made the marchers buy insurance that would help the city pay if the march caused any damage or injuries. The marchers planned a rally to protest the insurance. A county court ruled that they could not hold a protest.

A long court battle began. The question was difficult. Does the First Amendment protect groups that spread a message of hate? There were strong arguments on both sides. The marchers took the case to the Supreme Court. The Supreme Court said the Illinois Supreme Court and the U.S. District courts had to hold a hearing on their ruling against the Nazis. [These courts finally decided that the Skokie law requiring insurance went against the First Amendment.] It also decided that the Nazis had a right to hand out material expressing their message. The Skokie case showed that the First Amendment protects even unpopular beliefs.

The Continuing Challenge

Protecting the rights of citizens is a challenge that we all share. Our rights are not protected just because they are in the Constitution. Citizens play a key role in protecting people's rights through their actions and respect for each other.

Review Questions

1. How do courts interpret the meaning of citizens' rights?

2. How did the Supreme Court define "speech" in the *Tinker* case?

✓ Reading Check

Underline a sentence that helps explain how the *Skokie* case showed that courts are needed to interpret our rights.



Target Reading Skill

Recognize Words That Signal Sequence

Circle the sequence signal word in the bracketed sentence. What does it tell you about the order of events?



Vocabulary Strategy

Circle the prefix in the underlined word. Then use the prefix to explain the word's meaning.



✓ Reading Check

List some ways you can help protect the rights of others.

Main Ideas

As you read Chapter 6, think about the main idea of each section and answer the questions below.

Section 1: After some debate, the Bill of Rights was added to the Constitution to protect Americans' individual rights and freedoms.

1. Why was the Bill of Rights added to the Constitution soon after its ratification?

2. Why did some people want the Bill of Rights to be placed at the end of the Constitution instead of within it?

Section 2: The Bill of Rights was added to the Constitution to guarantee the basic rights of citizens. These rights include protections of individual freedoms, protections against the government's abuse of power, and protections of the accused.

3. What freedoms does the Bill of Rights protect?

4. Why are the Ninth and Tenth Amendments important?

Section 3: Many different situations call into question the meaning of our rights under the Constitution. It is the role of the courts to interpret the Bill of Rights and to apply them to each case.

5. Why are the rights of citizens often difficult to interpret?

6. How do cases involving citizens' rights reach the Supreme Court?
