

Citizenship and the Constitution**Section 2****MAIN IDEAS**

1. The First Amendment guarantees basic freedoms to individuals.
2. Other amendments focus on protecting citizens from certain abuses.
3. The rights of the accused are an important part of the Bill of Rights.
4. The rights of states and citizens are protected by the Bill of Rights.

Key Terms and People

James Madison a Federalist who promised that a Bill of Rights would be added to the Constitution

majority rule the idea that the greatest number of people in a society can make policies for everyone

petition a request made of the government

search warrant an order authorities must get before they search someone's property

due process a rule that the law must be fairly applied

indict formally accuse

double jeopardy a rule that says a person cannot be tried for the same crime more than once

eminent domain the government's power to take personal property to benefit the public

Section Summary**FIRST AMENDMENT**

James Madison began writing a list of amendments to the Constitution in 1789. The states ratified 10 amendments, called the Bill of Rights. **Majority rule** could take away smaller groups' rights. The Bill of Rights protects all citizens. First Amendment rights include freedom of religion, freedom of the press, freedom of speech, freedom of assembly, and the right to **petition**. The U.S. government cannot support or interfere with the practice of a religion.

The freedoms of speech and the press give Americans the right to express their own ideas and hear those of others. Freedom of assembly means Americans may hold lawful meetings. Citizens can petition for new laws.

What does the Bill of Rights do?

Section 2, *continued*

PROTECTING CITIZENS

The Second, Third, and Fourth Amendments stem from colonial problems with Britain. The Second Amendment gives state militias the right to bear arms in emergencies. The Third Amendment protects citizens against housing soldiers. The Fourth Amendment protects against certain “searches and seizures.” Authorities must obtain a **search warrant** to enter a citizen’s property.

When is a search warrant needed?

RIGHTS OF THE ACCUSED

The Fifth, Sixth, Seventh, and Eighth Amendments guard the rights of the accused. The Fifth Amendment says that the government cannot take a person’s life, liberty, or property without **due process**. A grand jury decides whether to **indict** a person. No one can face **double jeopardy**. Under **eminent domain** the government must pay owners a fair amount for their property.

Predict a situation in which a government might exercise its right of eminent domain.

The Sixth Amendment protects an indicted person’s rights. The Seventh Amendment says that juries can decide civil cases, usually about money or property. The Eighth Amendment allows bail, or money defendants pay if they fail to appear in court. This amendment also prevents “cruel and unusual punishments” against a person convicted of a crime.

RIGHTS OF STATES AND CITIZENS

The Ninth Amendment states that all citizens’ rights are not given by the Constitution. According to the Tenth Amendment, any powers not delegated to the federal government or prohibited to the states are held by the states and the people.

What powers are held by the states and the people?

CHALLENGE ACTIVITY

Critical Thinking: Developing In a small group, draw up a new law for which you would like to petition a government official.

Section 2, *continued*

DIRECTIONS Write two adjectives or descriptive phrases that describe the term.

1. double jeopardy _____
2. due process _____
3. eminent domain _____
4. indict _____
5. James Madison _____
6. petition _____
7. search warrant _____

DIRECTIONS Write a word or phrase that means the opposite of the term given.

8. indict _____
9. due process _____
10. majority rule _____