

# Constitution 101



## Final Notes – Things From Amendments

*“Draft 2.00000001 is always better*

# Objectives

- Understand some of the key phrases in the Amendments to the Constitution
- Consider what “basic rights” Americans have, and what those mean
- Terms
  - Right to Bear Arms
  - Search and Seizure
  - Due Process
  - Double Jeopardy
  - Cruel and Unusual Punishment
  - Electoral College
  - Emancipation
  - Suffrage

How easy is it for  
Amendments to pass?

How many  
Amendments have  
there been?

# *The Bill of Rights*

- *What is that again?*
  - *The first TEN Amendments*
- *We already looked at the First Amendment and its Five Freedoms.*
  - *What were those Five?*
- *Now let's look at a few others...*
- *We are NOT looking at all Amendments or Rights from the B.O.R. We are instead focusing on some key terms you need to know, especially in preparation for our final weeks of class.*

# *The Bill of Rights*

- ***The First Amendment***
  - **Five “Freedoms”**
  - **Freedom of Religion**
  - **Freedom of Assembly**
  - **Freedom of Petition**
  - **Freedom of Press**
  - **Freedom of Speech**
    - *Freedom of Opinion is also listed.... But we don't include that*
- *So let's look at a few...*

# *The Bill of Rights*

## *The First Amendment*

- **Freedom of Religion**

- *Congress shall make no law to abridge or deny the free exercise of religion*

- *What does THAT mean?*

- *No preference, no laws, no restricting...*

- *Are there exceptions?*

- **Free to believe and practice what you choose... without GOVERNMENT interference**

- *Note: "Separation of Church and State" is NOT in here*

# *The Bill of Rights*

## *The First Amendment*

- **Freedom of Assembly**
  - *The rights of citizens to meet in an organized manner shall not be abridged*
  - *What does THAT mean?*
  - **Free to have meetings, clubs, organizations**
    - Does NOT include illegal activities!

# *The Bill of Rights*

## *The First Amendment*

- **Freedom of Petition**
  - *Citizens shall be free to petition government for redress, wrongs, and amendment*
- **Free to protest, make petitions, and complain to your leaders**
  - *After all, WE chose them!*

# *The Bill of Rights*

## *The First Amendment*

- **Freedom of Press**
  - *Congress shall not restrict the free exercise of the press, nor make laws censoring...*
- **CENSORSHIP**
  - To prevent something from being printed or said
  - *By media, authors, tv, news, movies, etc.*
  - *Think “book burning”*
- *Wait... that's a characteristic of what type of government?!*

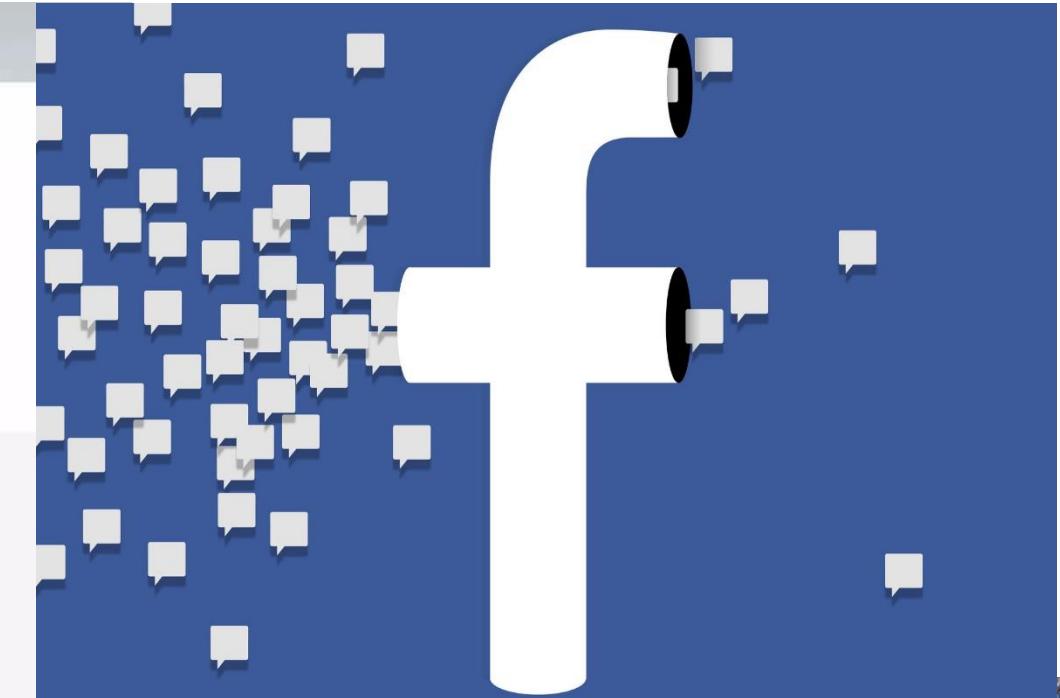
# *The Bill of Rights*

## *The First Amendment*

- **Freedom of Speech**
  - Congress shall make no laws to limit, abridge, or restrict the free speech and opinion of its citizens
  - *What does THAT mean?*
    - *No preference, no laws, no restricting...*
    - *Are there exceptions?*
  - **Free to think what you want, say what you want, and share opinions, without laws against it**
    - *Does that mean no consequences?*

So let's talk about those  
five things, all in the  
First Amendment...

Why are they  
important?



# *The Bill of Rights*

- **Second Amendment**
  - *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.*
- **Right to Bear Arms (NOT “bare arms”)**
  - **You can own weapons**
  - **BUT....What does this mean?**
    - *WHY did the Founding Fathers say this was needed?*
    - *Does it say they can't regulate, control, or manage?*
    - *SHOULD we be able to?*

# *The Bill of Rights*

- *Fourth Amendment*
- No Unreasonable Search and Seizure
- The government, police, etc. can't take your stuff, or search your home, car, etc. without good reason
- *Why did they need this?*
- *Does this mean they can't ever search or take your stuff?*

# The Bill of Rights

- *Amendments 5-7: Rights of the Accused*
- You are guaranteed **Due Process**
  - 1) KNOW what you are accused of
  - 2) FAIR trial
    - *Includes Trial by Jury*
  - 3) Right to APPEAL
  - *There are other parts too, like right to an Attorney, right to “speedy” trial, etc. But again, we focus on these three key elements*
- *Why is this important?*

# *The Bill of Rights*

- *Amendments 5-7: Rights of the Accused*
- **No Double Jeopardy**
  - *Not like the cool gameshow*
  - **You can not be tried twice for the SAME crime (*same circumstances*)**
- *Is there a down-side to this?*

# *The Bill of Rights*

- *Amendments 5-7: Rights of the Accused*
- **No Cruel or Unusual Punishment**
  - The punishment must fit the crime
  - Also, no **torture, excessive pain, or hardship**
- *i.e. making someone pay \$1000 fine for stealing a penny candy.*
- *Or serving life in prison for speeding.*
- *Or making anyone listen to One Direction or Justin Bieber.*

# Other Amendments and Terms

- And now some terms from the remaining Amendments
- Anyone know who really chooses the President?
- How is that done?
- Electoral College
  - The group that ACTUALLY chooses the President
  - People actually vote for the Elector
  - Each state has a certain # based on population
- Why did the Founding Fathers do this?
  - 12<sup>th</sup> Amendment makes them vote separately for Pres and Vice Pres. Because the old system it used to be the 2<sup>nd</sup> place winner.

# Other Amendments and Terms

- *Another term you should know from the 13<sup>th</sup> Amendment*
- Emancipation
  - The abolishing of slavery
  - ... except for when?
- Criminals (“as a punishment for crime”)

# *Other Amendments and Terms*

- *And one final term, from the 15th, 19th, 23rd, 25th, and 26<sup>th</sup> Amendments*
- Suffrage
  - The Right to Vote
  - ... Who gets it?
    - Any exceptions?
- *Susan B. Anthony – foremost Suffragette – fought for women gaining right to vote*

And so...

- *That, in a nutshell, is the Amendments.*
- *Many you may think weren't needed...*
- *Many were to clear up any confusion*
- *Some were to make things simpler.*
- *Some gave rights.*
- *Some took them away.*
- *But the bottom line: NOT an easy process.*
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- *Now a video about Women's Suffrage*



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