

Module 7: Civil Rights and Civil Liberties

Topic 1 Content: Bill of Rights

Introduction



Glover Mint: Hello, America! Welcome to WUSG News. I'm Glover Mint. This is my esteemed colleague, Demi Tracy. On today's show, we will take a look at the first ten amendments of the U.S. Constitution, known as the Bill of Rights. Constitutional scholar, Jamie Madson, joins us with his segment, *The Constitutional Connection*.

Module 7: Civil Rights and Civil Liberties

Topic 1 Content: Bill of Rights

The Constitutional Connection



Jamie Madson: Welcome. I'm Jamie Madson and this is *The Constitutional Connection*. Today, we will discuss the Bill of Rights, which is an important document that was added to the U.S. Constitution to protect civil liberties and civil rights. Before we begin our discussion, it is important to clarify the difference between these two terms.

Module 7: Civil Rights and Civil Liberties

Topic 1 Content: Bill of Rights

Civil Liberties vs. Civil Rights

Civil Liberties	Civil Rights
<ul style="list-style-type: none">• A basic freedom• Government may not infringe upon it• The freedom of speech• The freedom of religion	<ul style="list-style-type: none">• Access to fair and equal treatment under the law• Had civil rights restricted: African Americans, women, Native Americans, etc.


Jamie Madson: These two terms may seem interchangeable, but they are actually distinct from each other. A civil liberty is a basic freedom that the government may not infringe upon. The freedom of speech and the freedom of religion are great examples of civil liberties. Civil rights refer to fair and equal treatment under the law. For example, the civil rights of women and African Americans were initially restricted in America, since these groups were treated unfairly and unequally under the law.

Module 7: Civil Rights and Civil Liberties

Topic 1 Content: Bill of Rights

Bill of Rights

Bill of Rights



- Was drafted by James Madison
- Intended to protect individuals and states from abuse by the federal government
- Inspired by the Virginia Statute for Religious Freedom, the Virginia Declaration of Rights, the English Bill of Rights, and the Magna Carta
- Congress selected ten amendments, known as the Bill of Rights
- Became part of the Constitution at the end of 1791

Jamie Madson: During the process of ratification, the Virginian James Madison drafted several amendments to the Constitution in an attempt to alleviate some of the concerns of the Anti-federalists. The goal of these amendments was to protect individuals and the states from abuse by the federal government. Madison's inspiration for these amendments came from several documents, such as the Virginia Statute for Religious Freedom, the Virginia Declaration of Rights, the English Bill of Rights, and the Magna Carta.

After the Constitution was ratified, Congress met to debate Madison's proposals. Some of his proposals for amendments were accepted, some were altered, and others were rejected. Eventually, Congress settled on ten amendments to the Constitution, which became known as the Bill of Rights. The Bill of Rights was ratified by the states and became part of the Constitution at the end of 1791. Let's take a look at these first ten amendments to the U.S. Constitution.

Module 7: Civil Rights and Civil Liberties
Topic 1 Content: Bill of Rights

First Amendment

Bill of Rights				
I	II	III	IV	V
Click Here to Return				
Amendment I				
Congress shall make no law respecting an establishment of religion, or prohibiting the 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.				

Jamie Madson: The First Amendment protects the freedom of religion, the freedom of speech, the freedom of the press, the freedom of assembly, and the freedom to petition the government. This is perhaps the most famous amendment, and it protects many of the key civil liberties necessary for a democratic society.

Module 7: Civil Rights and Civil Liberties
Topic 1 Content: Bill of Rights

Second Amendment

The image shows a digital interface for the Bill of Rights. At the top, the title "Bill of Rights" is centered in white text on a dark background. Below this, five columns represent the first five amendments, labeled with Roman numerals I, II, III, IV, and V. The column for Amendment II is highlighted with a bright yellow background. Below the grid, a dark bar contains the text "Click Here to Return" in white. Underneath that, the text "Amendment II" is displayed in yellow, followed by the text of the 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." The background of the lower section is dark with faint, large-scale Roman numerals.

Jamie Madson: The Second Amendment protects the right to bear arms. Many feel that the Second Amendment grants Americans the right to own various types of firearms. Others believe that the Second Amendment was meant to protect a state's right to form a militia and has nothing to do with individual gun ownership rights. The interpretation of this amendment continues to be heavily debated.

Module 7: Civil Rights and Civil Liberties

Topic 1 Content: Bill of Rights

Third Amendment



The image shows a digital interface for the Bill of Rights. At the top, the title "Bill of Rights" is centered in white on a dark background. Below this, five columns represent Amendments I through V. The third column, labeled "III", is highlighted with a bright yellow background. Below the columns, a dark bar contains the text "Click Here to Return" in white. At the bottom, the text of Amendment III is displayed in white: "Amendment III" is in bold, followed by "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."

Jamie Madson: The Third Amendment prevents the government from forcing the owner of a home to house troops. In colonial times, the British military would quarter troops in private homes, forcing the owners of the homes to feed and shelter the troops. Often, they received little or no compensation for quartering the troops. This was a major concern during the drafting of the Bill of Rights, but has basically become irrelevant in the modern world. The Third Amendment has never been the subject of a Supreme Court case and is mostly forgotten by Americans.

Module 7: Civil Rights and Civil Liberties

Topic 1 Content: Bill of Rights

Fourth Amendment

Bill of Rights

I	II	III	IV	V
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Amendment IV

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.

Jamie Madson: The Fourth Amendment protects people and their property from unreasonable searches and seizures. In order for the government to legally search or seize individual persons or their property, the government must receive a court order or meet other legal requirements. Like the Third Amendment, this practice was also born of colonial frustrations. British officials could search private property at any time without probable cause. Unlike the Third Amendment, the Fourth Amendment remains an important protection against government abuse.

Module 7: Civil Rights and Civil Liberties

Topic 1 Content: Bill of Rights

Fifth Amendment

Bill of Rights

I	II	III	IV	V
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Amendment V

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 or 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 life 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.

Jamie Madson: The Fifth Amendment protects people who are accused of a crime. It requires indictment by a grand jury for capital crimes, and prevents people from being charged more than once for the same offense, which is known as double jeopardy. The Fifth Amendment also protects the accused from being forced to testify against themselves or from being deprived of life, liberty, or property, without due process of law. In addition to these legal protections, the Fifth Amendment states that the government cannot confiscate private property without giving fair compensation.

Module 7: Civil Rights and Civil Liberties

Topic 1 Content: Bill of Rights

Sixth Amendment

Bill of Rights

Amendment VI

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.

Click Here to Return

VI	VII	VIII	IX	X
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Jamie Madson: The Sixth Amendment also protects people who are accused of a crime. It requires that the accused enjoy a speedy and public trial by jury, and be told what the charges against them are. The accused also have a right to question witnesses against them, call their own witnesses, and receive legal assistance.

Module 7: Civil Rights and Civil Liberties
Topic 1 Content: Bill of Rights

Seventh Amendment

Bill of Rights

Amendment VII

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 the common law.

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VI VII VIII IX X

Jamie Madson: The Seventh Amendment guarantees trial by jury in all civil cases tried at the federal level when they involve more than twenty dollars.

Module 7: Civil Rights and Civil Liberties
Topic 1 Content: Bill of Rights

Eighth Amendment



The image shows a digital interface for the Bill of Rights. At the top, the text "Bill of Rights" is displayed in white on a dark background. Below this, "Amendment VIII" is highlighted in yellow. The text of the amendment is shown: "Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted." Below the text is a button that says "Click Here to Return". At the bottom, there is a row of five Roman numerals: VI, VII, VIII, IX, and X. The numeral VIII is highlighted in a yellow vertical bar, indicating it is the selected amendment.

Jamie Madson: The Eighth Amendment protects against cruel and unusual punishment, as well as excessive bail or fines. The term “cruel and unusual punishment” comes from the English Bill of Rights, and was intended to protect the accused from punishments like torture or being burned at the stake.

Module 7: Civil Rights and Civil Liberties
Topic 1 Content: Bill of Rights

Ninth Amendment

Bill of Rights

Amendment IX

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

Click Here to Return

VI VII VIII **IX** X

Jamie Madson: The Ninth Amendment protects other rights not specifically listed in the Bill of Rights. While the Bill of Rights was being drafted, some members of Congress believed that if rights were listed individually, the federal government would protect only those rights that were specifically mentioned. This Amendment was added to ease those concerns.

Module 7: Civil Rights and Civil Liberties
Topic 1 Content: Bill of Rights

Tenth Amendment

The graphic features a dark grey background with a grid of five columns. The top row contains the text 'Bill of Rights' in white. The second row contains 'Amendment X' in yellow, followed by the text '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.' in white. The third row contains the text 'Click Here to Return' in white. The bottom row contains five columns with Roman numerals VI, VII, VIII, IX, and X. The column with 'X' is highlighted in yellow.

Jamie Madson: The Tenth Amendment grants the states all the powers that are not delegated to or prevented by the federal government under the U.S. Constitution.

Module 7: Civil Rights and Civil Liberties
Topic 1 Content: Bill of Rights

Ending of Episode



Glover Mint: Thank you, Jamie. That's all for this episode of WUSG News. This is Demi Tracy, and I'm Glover Mint, signing off.