

The Bill of Rights

Lesson 1: The First Amendment

ESSENTIAL QUESTION

How do societies balance individual and community rights?

GUIDING QUESTIONS

1. Which individual rights are protected by the First Amendment?
2. Why are limits placed on individual rights?

Terms to Know

- civil liberty** the freedom to think and act without government interference
- civil** having to do with citizens
- free speech** the right to say our ideas in public or private, without fear of punishment by the government
- censorship** banning printed materials or films due to offensive ideas they contain
- petition** a formal request for action
- slander** spoken lies about someone
- libel** printing lies about someone
- restriction** limit placed on something

What Do You Know?

In the first column, answer the questions based on what you know before you study. After this lesson, complete the last column.

Now...		Later...
	What are some First Amendment rights?	
	Should there be limits on individual rights?	



Paraphrasing

1. In your own words, explain why civil liberties are important.



Mark the Text

2. As you read this section, underline the five civil liberties protected by the First Amendment.

Guaranteeing Civil Liberties

The first 10 amendments to the Constitution are known as the Bill of Rights. The Bill of Rights lists the basic freedoms that all citizens of the United States have. These freedoms are also called **civil liberties**. The word **civil** means “relating to citizens.” So civil liberties are those liberties relating to people. Protecting civil liberties is one of the most important parts of a democracy. Having civil liberties gives citizens the power to have their own beliefs. These liberties also give citizens the power to express themselves to others and to the government. The Bill of Rights states that the government may not take away our civil liberties.

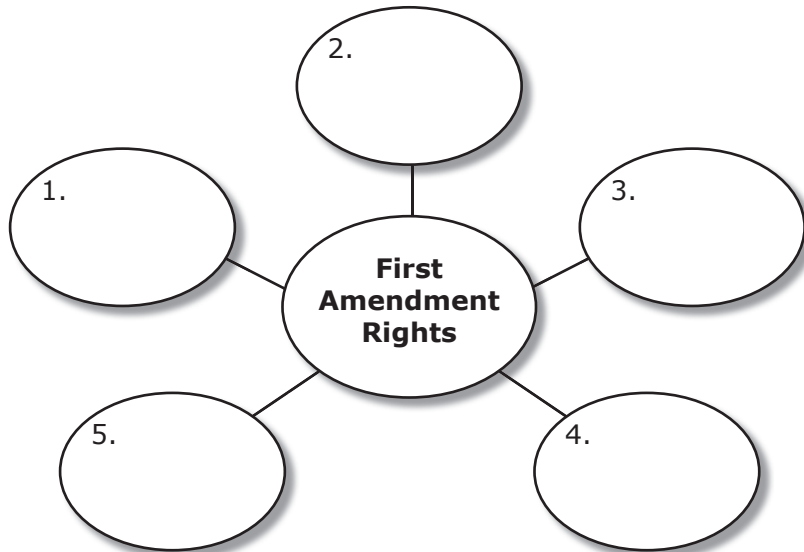
The First Amendment in the Bill of Rights protects five basic freedoms.

1. **Freedom of Religion** The First Amendment protects religious freedom in two ways. It says that the government may not set up an official religion for the country. It also says that people are free to worship in any way they choose.

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Lesson 1: The First Amendment, *Continued*

2. **Freedom of Speech** *Free speech* means being able to say what we think without fear of being punished by the government. The First Amendment gives us the right to express ideas even if they offend other people. Not all free speech is expressed in words. The first amendment also protects the right to express yourself in music, art, and dress.
3. **Freedom of the Press** The *press* means sources of news and information. It includes books, newspapers, and magazines. It also includes radio, television, and the Internet. The First Amendment forbids government **ensorship** of the press. This means that the government cannot tell the press what it can or cannot print or broadcast. A free press is important in a democracy. It helps keep the government honest by telling the people about mistakes or misuse of power.
4. **Freedom of Assembly** This is the right to gather in groups. Meetings, parades, and protests are all forms of assembly. We have the right to assemble for any reason, as long as the assemblies are peaceful. We also have the right to associate with any group we want. So you can start or join any group you want.
5. **Freedom to Petition the Government** A **petition** is a formal request for the government to act. It may be a statement signed by many people. It may also be a simple letter from one person. A petition is a way to tell the government what you think.



Reading Check

3. How are Americans' rights to express themselves protected by the First Amendment?

Explaining

4. How is a free press a check on government power?

Identifying

5. Fill in the diagram with the five freedoms protected by the First Amendment.



6. Make a five-tab Foldable by cutting a one-tab into five tabs up to the anchor. Label the anchor *The First Amendment*. Label the tabs: *Religion, Speech, Press, Assembly, and Petition*. Explain each right on the reverse sides.

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Lesson 1: The First Amendment, *Continued*

Ab Vocabulary

7. What is the difference between *slander* and *libel*?

? Hypothesizing

8. Study the chart. What do you think might happen if there were no limits on civil liberties?

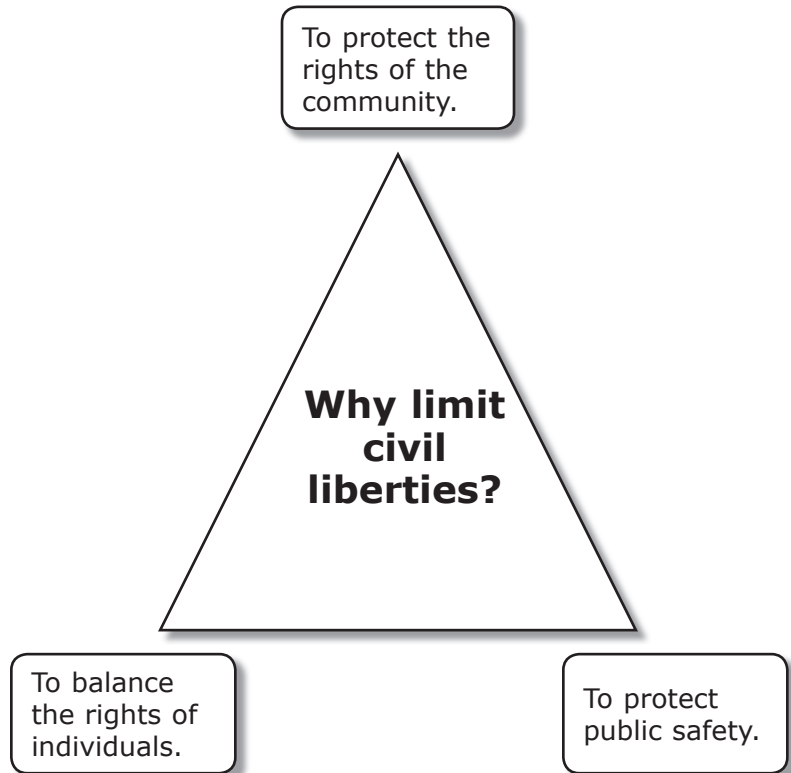
? Making Connections

9. Give an example of a situation where it is justified to limit a person's civil liberties. Explain the reason for limiting the person's rights.

Limits on Civil Liberty

The First Amendment rights given to all Americans, but that does not allow citizens to do and say whatever they want. Each person's rights must be balanced against the rights of others. That means that acting on your rights should not harm others or the community. Communities also have rights. In order to protect the rights of everyone, the government places limits on our civil liberties.

Citizens are expected to use their rights responsibly. This means that in using their individual rights they should not interfere with the rights of others. For example, free speech gives you the right to criticize public figures. It does not give you the right to tell lies about them. Spreading lies that hurt someone's reputation is a crime. If the lies are spoken, the crime is called **slander**. If the lies are printed, the crime is called **libel**.



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Lesson 1: The First Amendment, *Continued*

Other **restrictions**, or limits, on civil liberties protect public safety. For example, no one has the right to say or write anything that directly leads someone to commit a crime. Another example is that people have the right to march in protest, but not to riot.

Communities also have rights. As a result, individual rights have to be balanced against the rights of the community. When these are in conflict the rights of the community come first. If that were not the case, society would fail apart.

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 **Reading Check**

10. Do Americans enjoy unlimited civil liberties? Explain.



11. Place a one-tab Foldable along the dotted line. Label the anchor tab *First Amendment*. On the tab list five words or phrases about the First Amendment. On the reverse, explain why it is important to protect civil liberties.

Check for Understanding

Name three of your basic rights that are protected under the First Amendment.

- 1. _____
- 2. _____
- 3. _____

List two reasons why there have to be some limits on individual rights.

- 4. _____
- _____
- 5. _____
- _____

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Lesson 2: Other Bill of Rights Protections

ESSENTIAL QUESTION

How do societies balance individual and community rights?

GUIDING QUESTIONS

1. How does the *Bill of Rights* protect the rights of the accused?
2. Which other protections does the *Bill of Rights* offer?

Terms to Know

accused officially charged with a crime
search warrant court order allowing police to search a suspect's property and seize evidence
probable cause strong reason to think a person or property was involved in a crime
due process legal steps that must be followed
eminent domain the government's right to take private property for public use

indictment formal charge by a grand jury
double jeopardy being tried twice for the same crime
self-incrimination testifying against oneself
bail money paid as a deposit to make sure someone returns for their trial
license a document that gives the holder permission to do something
retain to keep or hold on to

What Do You Know?

In the first column, answer the questions based on what you know before you study. After this lesson, complete the last column.

Now...		Later...
	What rights does someone accused of a crime have?	
	How does the Bill of Rights protect people?	



Defining

1. What is a *crime* according to the courts?

Rights of the Accused

An important part of democracy is protecting the rights of people accused of crimes. The Fourth, Fifth, Sixth, and Eighth Amendments protect the rights of the **accused**. These amendments guarantee their right to fair legal treatment.

The Fourth Amendment has to do with searches. It says that no law officer can search a person's home or property without a search warrant. A **search warrant** is a court order. It allows the police to search a suspect's home, business, or other property and seize, or take, evidence. To get a search warrant, the police must convince a judge that they have **probable cause** to suspect a person of a crime. Probable cause means to have a valid reason.

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Lesson 2: Other Bill of Rights Protections, *Continued*

The Fifth Amendment protects many rights. It protects every citizen's right to due process of the law, for example.

Due process refers to the legal steps that must be followed before the government can take away a person's life, freedom, or property. For example, the government cannot take a person's house without paying a fair price for it.

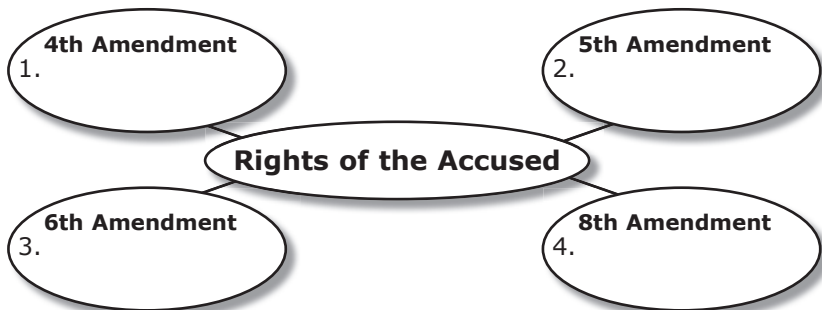
The government has the power to take away property to be used for the public if it pays for the property. This power is called **eminent domain** (EH•mih•nehnt doh•MAYN). The Fifth Amendment limits this power. It also says:

- No one can be tried for a serious crime without an indictment. An **indictment** (ihn•DITE•muht) is a formal charge from a grand jury. This is a group of citizens that looks at evidence to decide if a person may have carried out a crime.
- No one can put on trial twice for the same crime. This is called **double jeopardy**.
- No one can be forced to testify against himself or herself. This is called **self-incrimination**.

The Sixth Amendment guarantees other rights to accused people. The accused

- must be told the charges against them.
- must be allowed a speedy and fair trial.
- have the right to a public trial by a jury, or to be tried by a judge if they wish.
- have the right to hear, question, and call witnesses.
- have the right to a lawyer. If they can't afford a lawyer, the government must pay for one.

The Eighth Amendment says that bail may not be set too high. **Bail** is a type of security deposit. It is money that an accused person pays to remain free while waiting for trial. The Eighth Amendment also forbids "cruel and unusual" punishment. The question of what punishments are cruel and unusual is a matter of debate.



Identifying

2. Which amendment protects people from having to testify against themselves?

Summarizing

3. What four rights are protected by the Sixth Amendment?

Reading Check

4. Which of the Fourth, Fifth, Sixth, and Eighth Amendments applies to the police? Which applies to the courts?

Identifying

5. In each circle of the diagram, write the protections that each amendment provides.

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Lesson 2: Other Bill of Rights Protections, *Continued*



Explaining

6. How have the courts interpreted the Second Amendment?



Mark the Text

7. The writers of the Bill of Rights wanted to limit the power of government to protect the rights of citizens. Underline the words and phrases that talk about this.



Drawing Conclusions

8. In what way does the Ninth Amendment protect civil liberties?

Additional Protections

When the Founders wrote the Bill of Rights they remembered the events that led to the American Revolution. They felt that certain actions by the British government were wrong. The Founders wanted to prevent the new American government from taking some of these actions. As a result, the Second, Third, Seventh, Ninth, and Tenth Amendments were written to protect other rights of American citizens.

The Second Amendment states that people have the right to “keep and bear arms.” People do not agree about the exact meaning of that phrase. The courts have ruled that the government cannot stop people from owning guns. The government can pass laws to control how guns are sold and who can have a **license**, or permission to own guns.

The Third Amendment says that in peacetime soldiers may not move into people’s homes without the home owner’s permission. This was important to early American colonists. They were forced to house and feed British soldiers.

The Seventh Amendment talks about the rights of people involved in lawsuits. Lawsuits are also called civil cases. Civil cases are about disagreements between people rather than crimes. Civil cases are tried in the courts. The amendment guarantees the right to a trial jury in most of these cases.

The Ninth Amendment says that people’s rights are not limited to what is in the Bill of Rights. People **retain**, or hold on to, other rights as well. The government may not deny those rights just because they are not spelled out in the Constitution.

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Lesson 2: Other Bill of Rights Protections, *Continued*

The Tenth Amendment says that any powers not given to the federal government belong to the states or to the people. This is meant to keep the president and Congress from becoming too strong. The government of the United States can have only the powers the people give it.

Amendment	Right It Protects
_____	states that citizens have rights beyond those listed in the Constitution that cannot be taken away
Tenth	_____ the power of the national government
_____	provides for juries in civil cases
Third	protects people from having to house _____ during peacetime
_____	lets the government _____, but not prevent, gun ownership

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Check for Understanding

Name three ways that the Bill of Rights protects someone accused of a crime.

1. _____
2. _____
3. _____

List two other ways that the Bill of Rights protects individual freedoms.

4. _____

5. _____

Reading Check

9. In what ways do the Ninth and Tenth Amendments protect citizens?

Mark the Text

10. Fill in the blanks in the list of constitutional amendments.



11. Place a two-tab Foldable along the dotted line. Title the first tab *Rights of the Accused* and the second tab *Rights of Citizens*. Write facts about each on both sides of the tabs.

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Lesson 3: Furthering Civil Liberties

ESSENTIAL QUESTION

How do societies balance individual and community rights?

GUIDING QUESTIONS

1. *How were civil rights extended following the Civil War?*
2. *In what ways have twentieth-century amendments affected voting rights and changed elections?*

Terms to Know

black codes laws made after the Civil War that kept African Americans from holding certain jobs, gave them few property rights, and limited their rights in other ways

suffrage the right to vote

conduct to carry out

eliminate to take away or to end

poll tax money that voters have to pay before they are allowed to vote

What Do You Know?

In the first column, answer the questions based on what you know before you study. After this lesson, complete the last column.

Now...		Later...
	How did civil rights change after the Civil War?	



Prior Knowledge

1. What is the Bill of Rights and what is it meant to do?



Explaining

2. Why was the Fourteenth Amendment needed?

Civil War Amendments

The Bill of Rights was meant to protect citizens from the power of the federal government. It did not apply to state governments. Because of this, states could and often did pass laws that denied people's rights. For example, women and African Americans could not vote in most states. Slavery was legal in Southern states. Enslaved African Americans had almost no rights at all and were often treated as property.

After the Civil War, three new amendments were added to the Constitution. They extended civil liberties to African Americans. The first was the Thirteenth Amendment. It made slavery against the law.

Though slavery was against the law, many states still would not give African Americans basic rights. Many Southern states passed laws called **black codes**. Black codes put strict limits on where freed slaves could live and what jobs they could do. The Fourteenth Amendment was passed to help with this problem. The amendment protected the rights of the newly freed slaves.

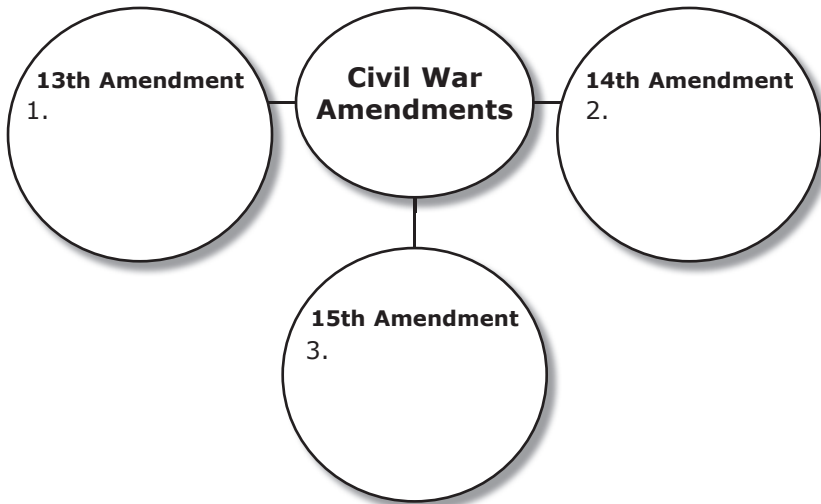
The Fourteenth Amendment struck down the black codes. It said that all people "born or naturalized in the United States" were citizens. That included most African Americans. It said the states had to give all citizens "equal protection of the laws." It also said that the states must guarantee due process to all citizens.

The Bill of Rights

Lesson 3: Furthering Civil Liberties, *Continued*

Since that time, the “equal protection” part of the Fourteenth Amendment has helped women and other groups gain equal rights. The Supreme Court has also said that the “due process” part of the amendment makes the Bill of Rights binding on the states. It means that American citizens in every state have the same basic rights.

The last Civil War amendment was the Fifteenth Amendment. It extended **suffrage**, or the right to vote, to African Americans. However, it applied only to men. State laws still kept women from voting in most elections.



Electoral Process and Voting Rights

The Constitution was amended several more times in the 1900s. Some new amendments extended the right to vote to more people. Others changed the way elections were **conducted**, or carried out. These changes helped put more power in the hands of the people.

The Seventeenth Amendment changed the way U.S. senators are chosen. It was passed in 1913. Up until then, members of the Senate were chosen by the legislatures of their states. The Seventeenth Amendment says that people will elect their senators directly.

The Nineteenth Amendment gave women the right to vote. The question of woman’s suffrage had always been left up to the states. Most states did not allow it. This changed in 1920 when the Nineteenth Amendment passed. It gives women the right to vote in all elections.

Defining

3. How is due process related to the idea of equal protection?

Vocabulary

4. What is *suffrage*?

Summarizing

5. Complete the organizer. Write a sentence in each circle summarizing the importance of each amendment.

Reading Check

6. What was the purpose of the Civil War amendments?

Analyzing

7. How did the Seventeenth Amendment put more power in the hands of the people?

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Lesson 3: Furthering Civil Liberties, *Continued*



Identifying

8. What groups gained the right to vote by constitutional amendment in the 1900s?



Reading Check

9. How did eliminating the poll tax affect voting rights?



Categorizing

10. For each amendment, check the column that shows whether it extended voting rights or changed the electoral process.



11. Place a two-tab Foldable on the line. Label the anchor *Increased Rights*. Label the tabs *Civil Rights* and *Voting Rights*. Explain on each how rights were extended through the new amendments.

The Twenty-third Amendment was added in 1961. It gave voting rights to people living in Washington, D.C. "D.C." stands for the District of Columbia. Because this area is not part of any state, its residents could not vote in national elections. The Twenty-third Amendment gave them the right to vote for president and vice president. But even today they do not have representatives in Congress.

The Twenty-fourth Amendment was added in 1964. It **eliminated** poll taxes. A **poll tax** is a fee that is charged for voting. Southern states used poll taxes to keep poor people from voting. Fees were charged for the current year and previous years. Many people could not pay them. This kept most African Americans away from the polls. The fees also affected poor whites.

In 1971, the Twenty-sixth Amendment lowered the voting age to 18 years of age. Before then, most states had set the minimum age for voting at 21.

Amendment	Voting Rights	Electoral Process
Seventeenth Amendment		√
Nineteenth Amendment		
Twenty-third Amendment		
Twenty-fourth Amendment		
Twenty-sixth Amendment		

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Check for Understanding

Name two ways that the Civil War amendments added to individual freedoms.

- _____
- _____

List three ways that amendments made to the U.S. Constitution in the 1900s changed the voting process.

- _____
- _____
- _____

The Bill of Rights

Lesson 4: The Civil Rights Movement

ESSENTIAL QUESTIONS

*How do societies balance individual and community rights?
How does social change influence government?*

GUIDING QUESTIONS

1. *Why did the civil rights movement occur?*
2. *What other groups of citizens have struggled to win civil rights?*

Terms to Know

discrimination unfair treatment based on prejudice against a certain group

“Jim Crow” law Southern segregation law

segregation the social separation of the races

persist to last or to continue

civil rights the rights of full citizenship and equality under the law

nonviolent resistance peaceful protest against unfair laws

sit-in the act of occupying seats or sitting down on the floor of an establishment as a form of organized protest

exploit to use unfairly for someone else’s gain

hate crime a violent act against a person attack because of their race, color, gender, national origin, or disability

What Do You Know?

In the first column, answer the questions based on what you know before you study. After this lesson, complete the last column.

Now...		Later...
	What was happening in our country before the civil rights movement?	

Origins of the Civil Rights Movement

For many years African Americans faced **discrimination**, or unfair treatment because of prejudice. The Civil War amendments were meant to help African Americans gain equal rights. The amendments did not do enough. Southern states passed laws to keep the races separate in public places. This practice is called **segregation**. The laws were called **“Jim Crow” laws**.

These laws **persisted**, or lasted, for decades. The laws said that African Americans had to go to separate schools. They had to ride in the backs of buses and trains. They had to use separate public restrooms and swimming pools.



Mark the Text

1. As you read this section, circle important dates in the civil rights movement and underline why they are important.

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Lesson 4: The Civil Rights Movement, *Continued*



Describing

2. Describe the idea of "separate but equal" that allowed segregation to continue.



Identifying

3. Who was Rosa Parks?



Reading Check

4. What are some of the methods African Americans used to secure their civil rights?



Comparing

5. How are boycotts and sit-ins alike?

It took a long time for African Americans to win their civil rights. **Civil rights** are the rights of full citizenship and equality under the law. African Americans started a movement to win their civil rights.

The courts had ruled that segregation could continue as long as African Americans, though separate, were treated equally. As early as the 1930s, African Americans began to challenge this idea of "separate but equal." In *Brown v. Board of Education of Topeka, Kansas, (1954)*, they won a major victory. An African American family took the city of Topeka to court because their daughter was not allowed to go to an all-white school. The case made it to the Supreme Court. The Supreme Court struck down "separate but equal." It ruled that segregation in public schools was against the Constitution. Segregation, the Court said, went against the call for equal protection found in the Fourteenth Amendment.

In 1955, an African American woman named Rosa Parks refused to move to the back of a bus in Montgomery, Alabama. She was arrested. African Americans responded by boycotting the public buses. A boycott is a refusal to buy or use something. The Montgomery bus boycott led the Supreme Court to strike down laws that segregated the public buses. An important leader of the boycott was Dr. Martin Luther King, Jr.

King believed in **nonviolent resistance**. This is the peaceful protest of unfair laws. King led thousands of people in the push for equality. African Americans and other supporters of civil rights marched in protest. They carried signs and held boycotts. African Americans also held protests called **sit-ins**. They would sit at lunch counters that served only whites. They would refuse to leave until they were served. Some protestors traveled together by bus across the South to spread their message. These groups were called "Freedom Riders."

A high point of the civil rights movement was the March on Washington in 1963. More than 200,000 people gathered in the nation's capital.

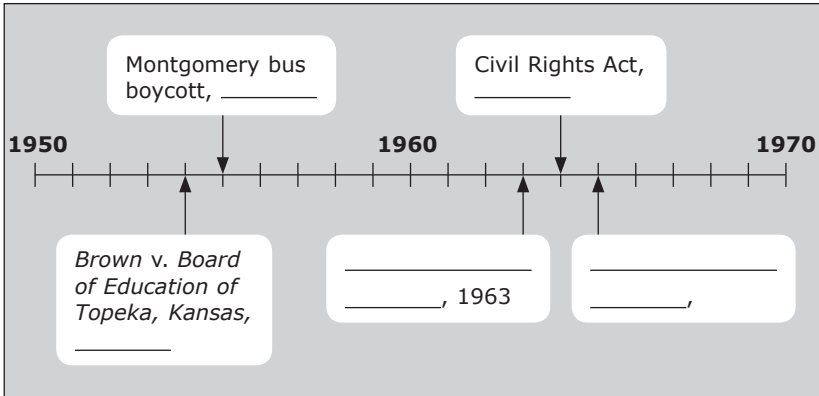
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Lesson 4: The Civil Rights Movement, *Continued*

They came to support a new civil rights bill. Dr. Martin Luther King, Jr., was there also. He gave his now-famous "I Have A Dream" speech.

The civil rights movement pushed the government to take action. In 1964, Congress passed the Civil Rights Act. This law banned segregation in public places. It also outlawed discrimination in job hiring. It was followed by the Voting Rights Act of 1965. This law removed state voting requirements that kept African Americans from the polls. It ensured that no citizen could be denied the right to vote.

Key Events of the Civil Rights Movement



The Struggle Continues

The Civil Rights Act did not just benefit African Americans. It also outlawed discrimination based on gender, religion, and national origin. As a result, other groups also made gains in the fight for equal rights and fair treatment. They included women, Mexican Americans, Native Americans, and the disabled.

The struggle for equal rights is still going on. Many people still face discrimination in the workplace. Racial profiling is another concern. This occurs when law officers single out people as suspects based on the way they look. **Hate crimes** are also a problem. Hate crimes are attacks on people because of their race, religion, gender, national origin, or disability.

In 1961 President John F. Kennedy began a new policy called affirmative action. Its goal is to increase the hiring of women and minorities in business. Affirmative action also helps women and minority students get into college.

? Sequencing

6. Review the years you circled in the text. Use them to mark and label five key events on the time line.

👁 Visualizing

7. How many years passed between the Montgomery bus boycott and the passage of the Civil Rights Act?
- _____

☑ Reading Check

8. What other groups were inspired by the civil rights movement to work for equality for themselves?
- _____
- _____

? Making Inferences

9. In what way might affirmative action be seen as unfair?
- _____
- _____
- _____

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Lesson 4: The Civil Rights Movement, *Continued*

? Making Connections

10. The groups that gained rights were all different, but also had much in common. Explain what they were trying to change. What were they trying to gain?

✍ Describing

11. What was the Equal Rights Amendment?



11. Place a two-tab Foldable along the dotted line. Title the tabs *Civil Rights Movement* and *Civil Rights Act*. Write the events and decisions that affected human rights in the United States.

Some people do not think affirmative action is good. They say that it is reverse discrimination and is unfair to whites and to men.

Other groups raised their voices in hopes of gaining rights. In 1968 several Native Americans formed a group called the American Indian Movement. Its goal was to improve the lives of Native Americans. It worked to protect the rights granted to Native American peoples by treaties. It has also tried to keep native culture alive.

The Chicano Movement was formed by Mexican Americans. It tried to fight segregation against this group in the Southwest. Other Mexican American leaders worked for fair treatment of farm workers. Most farm workers were Mexican American. They were **exploited**, or used unfairly, by the companies they worked for. César Chávez and Dolores Huerta used strikes and boycotts to gain better working conditions and pay for these workers.

The National Organization for Women formed in 1966. It gave the movement for women’s rights new energy. The group worked to end on-the-job discrimination against women. It worked to pass laws against domestic violence. Many people worked hard to get an Equal Rights Amendment, or ERA, added to the Constitution. The ERA said that no state could deny any person equal rights because of gender. In 1972 Congress approved the ERA. It did not become an amendment because it was never ratified by enough states.

People who have disabilities have also won rights. In 1990, Congress passed the Americans with Disabilities Act. This law protects the rights of people with disabilities.

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Check for Understanding

Name three events that led to the rapid growth of the civil rights movement.

- 1. _____
- 2. _____
- 3. _____

Name two other groups of people who have benefited from the passage of the Civil Rights Act.

- 4. _____
- 5. _____