

AS YOU READ Notice what kinds of rights are protected in the Bill of Rights. Write down any questions you generate during reading.

from The United States Constitution: Preamble and Bill of Rights

Preamble

We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence,¹ promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.

posterity
(pō-stēr'ī-tē) *n.* future generations.

defence: alternate spelling of defense.



The Bill of Rights

The Preamble to The Bill of Rights

Congress of the United States begun and held at the City of New-York, on Wednesday the fourth of March, one thousand seven hundred and eighty nine.

THE Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best ensure the beneficent ends of its institution.

RESOLVED by the Senate and House of Representatives of the United States of America, in Congress assembled, two thirds of both Houses concurring, that the following Articles be proposed to the Legislatures of the several States, as amendments to the Constitution of the United States, all, or any of which Articles, when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes, as part of the said Constitution; viz.

ARTICLES in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.

Amendment I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging² 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.

Amendment II

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.

infringe
(in-frīnj') v. to
interfere with; violate

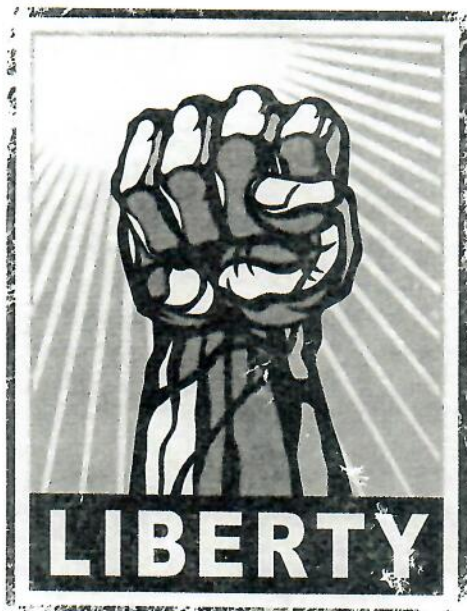
Amendment III

No Soldier shall, in time of peace be quartered³ in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

prescribe
(prī-skrīb') v. to
authorize or regulate

² **abridging:** limiting.

³ **quartered:** housed or lodged.



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.

Amendment V

No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment⁴ 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.

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.

⁴ **presentment:** presentation of evidence.

Amendment VII

In Suits at common law,⁵ where the value in controversy shall exceed
60 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.

Amendment VIII

Excessive bail shall not be required, nor excessive fines imposed, nor
cruel and unusual punishments inflicted.

impose
(im-pōz') v. to charge
or apply.

Amendment IX

The enumeration⁶ in the Constitution, of certain rights, shall not be
construed to deny or disparage others retained by the people.

Amendment X

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.

⁵ **common law:** laws based on court decisions and individual circumstances
rather than on government legislation.

⁶ **enumeration:** the mention or listing.

COLLABORATIVE DISCUSSION How is the Bill of Rights relevant to you as a
high school student in the twenty-first century? Discuss this question with
a partner, citing specific textual evidence from the Bill of Rights to support
your ideas.

Evaluate Seminal Texts: Constitutional Principles

RI 8

The U.S. Constitution has influenced the development of U.S. legal history for more than two hundred years. Lawmakers have applied constitutional principles to individual pieces of legislation at the federal and state levels. The Constitution lays out the founders' most basic assumptions about the nature of government and the rights and responsibilities of citizens and their political leaders. At the same time, the Constitution allows for change. The Preamble to the Bill of Rights indicates that amendments may be added "pursuant to the fifth Article of the original Constitution."

The parts of the Constitution presented here are from its very beginning (the Preamble) and from the last section, the list of amendments or additions to the original document. In between the Preamble and the Bill of Rights is the body of the Constitution itself. Here are some examples of constitutional principles found in the body of the document:

- Representative democracy—the people elect others to represent their wishes and carry out the functions of government
- The separation of powers—between legislative, executive, and judicial branches and between the federal and state governments
- A system of checks and balances—each branch imposes limits on the others
- A balance between government authority and individual rights and freedom

As you analyze these excerpts from the Constitution, look for evidence of these principles and for reasons why the Constitution was written in this particular way.

Analyze Foundational Documents

RI 5, RI 9

When you analyzed the Declaration of Independence, you paid attention to its **purpose, themes, and rhetorical features**. You will focus on these same elements as you analyze the Preamble and Bill of Rights from the U.S. Constitution.

Purpose is the reason why something is written. The preambles to the Constitution and to the Bill of Rights state the purposes of each section of the document.

A **theme** is a main message that the author wants to communicate about a particular topic. Again, the Preamble and the Bill of Rights have separate but related messages to communicate. These themes are related to the purpose of each part of the document.

Rhetorical features include all the methods a writer uses to communicate ideas and appeal to readers. Because the Constitution has a different purpose from the Declaration of Independence, it was written with different rhetorical features. Notice how the responsibilities of government and the rights of citizens are described in the Constitution. How do those descriptions communicate particular ideas and how might they have appealed to the concerns of eighteenth-century Americans?

