

Student Handout 1 Teacher Key

Breaking Down the Bill of Rights

To help make the Bill of Rights easier to understand, the text from each amendment is divided up to show:

- The “actor” (the person or entity doing the primary action in the sentence).
- The “action” (the primary verb(s) in the sentence).
- The “object/recipient” (what or who is being acted upon in the sentence).
- “Details/conditions/exceptions” (extra information about how, where, when or why the action is taking place).

In the Bill of Rights, sometimes the “actor” is implied. To help make it clear who is doing what, sentences in passive voice have been changed to active voice. (See step 2 for the first example of this.)

The Bill of Rights also uses many negatives (such as “no,” “not”) and reversals (such as “but,” “without”) that can be difficult to keep track of but that shape the meaning of the text significantly. These words have been bolded in the text shown here.

(_____) indicates an implied (unstated) text element.

Directions:

1. Fill in any blanks in the first four columns.
2. Use the fifth column to jot down a few words to summarize the rights of the people outlined by each amendment. (The first row has been done for you.)
3. In the last two columns, list the verbs that relate to what the government *should* and *should not* do. (The first row has been done for you.)
4. Look for patterns in the verbs you collected and answer the final three questions under the chart.

	Actor	Action	What? Who?	Details/conditions/exceptions (How? Where? When? Why?)	Summarize the rights of the people outlined by each amendment	What verbs (if any) are used to describe what the government (or its laws) <i>should</i> do?	What verbs (if any) are used to describe what the government (or its laws) <i>should not</i> do?

1	Congress	shall make	no law	<p>respecting an establishment of religion or prohibiting the free exercise thereof (of religion)</p> <p>or</p> <p>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</p>	<p><i>Religion</i></p> <p><i>Free speech</i></p> <p><i>Freedom of press</i></p> <p><i>Right to assemble</i></p> <p><i>Right to Petition</i></p>	redress	<p><i>make</i></p> <p><i>prohibit</i></p> <p><i>abridge</i></p>
2	(the government)	shall not infringe	the right	<p>of the people to keep and bear arms</p> <p>(because) a well regulated Militia, (is) necessary to the security of a free State</p>	<i>Right to own weapons</i>	X	<i>infringe</i>
3	(the government)	shall quarter	no soldier	<p>in time of peace, in any house, without the consent of the Owner</p> <p>nor</p> <p>in time of war, but in a manner to be prescribed by law</p>	<i>Right to not be forced to house soldiers</i>	X	<i>quarter</i>

4	(the government)	shall not violate and shall issue	The right no warrants	of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures but upon probably cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be searched.	<i>Protection from unjust search and seizure</i>	X	<i>violate</i> <i>issue</i>
5	(the government)	shall hold nor shall subject/put nor	no person any person	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 for the same offence twice, in jeopardy of life or limb in any criminal case to be a witness against himself	<i>Right to due process</i> <i>No double jeopardy</i> <i>No self-incrimination</i>	X	<i>hold</i> <i>subject</i> <i>put</i> <i>compel</i> <i>deprive</i> <i>take</i>

		shall compel	(any person)				
		nor		of life, liberty, or property, without due process of law			
		(shall) deprive	(any person)				
		nor		for public use, without just compensation			
		shall take	private property				

6	the accused	shall enjoy	the right	<p>In all criminal prosecutions</p> <p>to a speedy and public trial,</p> <p>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,</p> <p>and</p> <p>to be informed of the nature and cause of the accusation</p> <p>(and)</p> <p>to be confronted with witnesses against him</p> <p>(and)</p> <p>to have compulsory process for obtaining witnesses in his favor,</p> <p>and to have the Assistance of Counsel for his defence</p>	<i>Rights of the accused</i>	X	X
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7	(the government)	shall preserve shall re-examine	the right no fact	In Suits at common law, where the value in controversy shall exceed twenty dollars of trial by jury and than according to the rules of the common law.	<i>Right to trial by jury</i>	<i>preserve</i>	<i>re-examine</i>
8	(the government)	shall not require nor (shall) impose nor (shall) inflict	excessive bail excessive fines cruel and unusual punishments		<i>No excessive bail or fines</i> <i>No cruel punishment</i>	X	<i>require</i> <i>impose</i> <i>inflict</i>

9	(the government)	shall not construe	The enumeration	in the Constitution, of certain rights to deny or disparage others (rights) retained by the people	<i>People's rights protected</i>	X	<i>construe</i>
10	(the government)	reserves	powers not delegated nor (powers) prohibited	to the United States by the Constitution by it (the Constitution) to the States to the States respectively, or to the people	<i>Powers reserved to states</i>	<i>reserve</i>	X

What kinds of verbs are used to describe what the government *should* do?

“Reserve” and “preserve” both relate to setting boundaries and protecting. “Redress” relates to righting wrongs.

What kinds of verbs are used to describe what the government *should not* do?

There are lots of verbs with negative connotations relating to heavy-handed constraint and/or harm (“compel,” “infringe,” “impose,” “violate,” “deprive,” etc.).

How does this relate to the purpose of the Bill of Rights?

The Bill of Rights was created to assuage concerns about potential abuses of government.