

# Amendments to the US Constitution



1-27

## Bill of Rights

- *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.*
- *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.*
- *Amendment III*
  - *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.*



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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.*
- *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 offense 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.*



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- *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 defense.*
- *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 reexamined in any court of the United States, than according to the rules of the common law.*




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- Amendment VIII
- Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.
- Amendment IX
- The enumeration 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.

## Amendments 1-5



**Amendment I – Freedom of Religion, Speech and the Press;  
Rights of Assembly and Petition.**

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**Amendment II -Right to Bear Arms**

Prohibits only the national government from limiting the right to carry weapons. The amendment was adopted so that Congress could not disarm a state militia.

**Amendment III – Housing of Soldiers**

Grew directly out of an old complaint against the British, who had forced people to take soldiers into their homes.

**Amendment IV – Search and Seizure**

Does NOT forbid authorities to search, to seize goods, or arrest people. Most cases require a search warrant from a judge. Supreme Court held that evidence obtained in violation of the 4<sup>th</sup> Amendment may not be admitted in a criminal trial.

**Amendment V - Rights in Criminal Cases** (Self-incrimination, Double Jeopardy, Due Process, Just Compensation) \*grants due process in federal cases

## Amendments 6-10

**Amendment VI- Rights to a Fair Trial** (Speedy and Public Trial by Jury\*, Tried in state where crime was committed, Informed of charges against accused, Witnesses, Right to a lawyer)

\*Criminal cases

**Amendment VII- Rights in Civil Cases** (Trial by jury in civil cases over \$20)

7<sup>th</sup> Amendment only applies to FEDERAL courts, but most state constitutions also call for jury trials in civil cases.

**Amendment VIII – Bails, Fines and Punishments**

Bails, fines and punishments must be humane. (In 1972 in *Furman v. Georgia*, Supreme Court held that the death penalty was cruel and unusual punishment because it was not applied fairly and uniformly. Many states adopted new capital punishment laws...Court ruled certain standards are applied)

**Amendment IX – Rights Retained by the People**

Some feared that the listing of some rights in the Bill of Rights would be interpreted to mean that other rights not listed were not protected. 9<sup>th</sup> was adopted to prevent such an interpretation.

**Amendment X – Powers Retained by the States and the People**

Confirms that the states or people have all powers not given to national government. (ie: marriage)

## Amendments 11-15

**Amendment XI – Lawsuits Against States**

It is impossible for the citizen of one state to sue another state. (So, you can't sue Hawaii) But, a person still has the right to sue state authorities in federal court for depriving them of const. rights.

**Amendment XII – Election of President and Vice President**

(1804) Provides that members of the electoral college (called electors), vote for one person as president and one person as vice president. (1800 election was a tie –T. Jefferson, A. Burr-used to be that the top vote-getter was pres. and 2<sup>nd</sup> place was the v.p.)

**Amendment XIII – Abolition of Slavery**

(December 6, 1865) "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist in the U.S., or any place subject to their jurisdiction." (section 1)

**Amendment XIV- Civil Rights**

(1868) "All persons born or naturalized in the U.S. and subject to the jurisdiction thereof, are citizens of the U.S. and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the U.S.; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." (section 1)

\*Refers to STATE governments, right to state due process (5<sup>th</sup> amendment: federal due process)

**Amendment XV – African American Suffrage**

(1870) "The rights of citizens of the U.S. to vote shall not be denied or abridged by the U.S. or by any state on account of race, color, or previous condition of servitude." (does not specifically say African Americans must be allowed to vote, but a voter cannot be denied because of race)

\*note that there is no mention of gender...

## Amendments 16-20

### Amendment XVI – Income Taxes

Congress has the power to lay and collect taxes on incomes

### Amendment XVII- Direct Election of Senators

The states have the power to directly elect senators to represent them. (before this, the state legislature decided who the senators were)

### Amendment XVIII- Prohibition of Liquor

(1919) Forbade people to make, sell, or transport liquor. (think of bootleggers and the MOB...)

\*This was obviously repealed (taken back)

### Amendment XIX- Women's Suffrage

(1920) "The right of citizens of the U.S. to vote shall not be denied or abridged by the U.S. or by any state on account of sex." (Amendments giving women the right to vote were introduced in Congress for more than 40 years before this one was passed)

### Amendment XX- Terms of President and Congress

Moves the date that newly elected presidents and members of Congress take office close to election time. President: January 20<sup>th</sup>, Congress: January 3<sup>rd</sup>

(called the *lame duck amendment*-a lame duck is a government official who continues to serve in office though not reelected to another term. Before this, officials remained in office for 4 months)

## Amendments 21-25

### Amendment XXI-Repeal of Prohibition

(1933) Repeals the 18<sup>th</sup> amendment.

### Amendment XXII- Limitation of Presidents to Two Terms

No person can be elected president more than twice. No one who has served as president for more than two years of someone else's term can be elected more than once.

### Amendment XXIII- Suffrage in the District of Columbia

Allows citizens of Washington D.C. to vote in the presidential elections. However, they cannot vote for members of Congress.

### Amendment XXIV-Poll Taxes

Forbids making voters pay a *poll tax* before they can vote in a national election. (Forbidden by the 14<sup>th</sup> amendment. Comes from the old English word *poll*, meaning head) Some states once used these to keep poor people and African Americans from voting.

### Amendment XXV- Presidential Disability and Succession

(1967) If president is removed, dies, or is resigns, the vice president becomes president. The president fulfills a vice president vacancy, by a majority vote of both Houses of Congress.

(Gerald Ford-1973- became 1<sup>st</sup> v.p. appointed this way. Ford nominated by Nixon, when v.p. Agnew resigned. Nixon resigned in 1974 and Ford became president. Then, Nelson Rockefeller became v.p. and this was the 1<sup>st</sup> time neither official had been elected.)



## Amendments 26 & 27

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Amendment XXVI- Suffrage for 18-Year-Olds!

(1971) "The right of citizens of the U.S., who are eighteen year of age or older, to vote shall not be denied or abridged by the U.S. or by any state on account of age."

Amendment XXVII- Congressional Pay Raises

Any increase in congressional pay does not go into effect until after the next regular election of the House of Representatives.