

# Protection of civil liberties in ten amendments

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## **Bill of Rights Paper**

The Bill of Rights is composed of the first ten amendments to the U. S. Constitution. They were written by James Madison in order to better secure the public's individual rights and limit governmental power over them. George Mason, founder of the Virginia Declaration of Rights, inspired the call for a bill of rights for all of America. While the Virginia Declaration of Rights focused more on proclaiming the essential rights' of men and the right to reform or abolish incompetent governments, the Bill of Rights focuses more on appeasing the Anti-Federalists demand for personal freedoms and limit on government control as well as reserving certain rights to the states and the public. According to the Bill Of Rights Institute, of the original twenty-seven amendments, " the House [of Representatives] approved 17 amendments. Of these 17, the Senate approved 12. Those 12 were sent to the states for approval in August of 1789. Of those 12, 10 were quickly approved (or, ratified). Virginia's legislature became the last to ratify the amendments on December 15, 1791". The ten official amendments, which are most commonly known to the public, range from the right to freedom of speech to power given to the states and the people.

This list of amendments was extremely important to the colonists, especially the Anti-Federalists, because it protected their individual liberties and rights. It also allowed them to feel some type of security and defense against the government in case they tried to oppress them again. In addition to those reasons, the Bill of Rights was important for balancing the government's power with those powers of the state and the public. Moreover, these

amendments provided the colonists relief from fear of oppression, safekeeping over their civil rights, and peace of mind.

I believe that the Bill of Rights is still extremely important today. Our laws are based upon them and they protect us from violations against our civil liberties. They balance out our rights with the public safety and encourage proper ways of policing and handling certain situations. Throughout history, many people have died trying to protect these documents and constitutional rights. The colonists never expected those rights they proposed to be used in the ways they are used today. However, today they are still used and officers and lawmakers etc. stand by these original rights to help them dictate how to execute their occupational duties.

The amendments that pertain to criminal law include the fourth, fifth, sixth, and eighth amendments. The fourth amendment states “ 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”. This amendment basically protects citizens from unreasonable searches and seizures. The fifth amendment states, “ 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

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property, without due process of law; nor shall private property be taken for public use, without just compensation". This amendment basically protects individuals from self-incrimination and double jeopardy, and gives them the right to a lawyer as well as due process by law. The sixth amendment states, " 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". This amendment basically gives the public the right to a speedy trial by an impartial jury of their peers. It also gives the public the right to confront witnesses against them. The eighth amendment states, "[the right against] excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted". This amendment basically protects individuals from being given excessive amounts of bail and protects them from punishment that does not fit the crime.

In conclusion, all ten amendments whether or not they pertain to criminal law protect our civil liberties today just as much as they did back then in the 1700's and 1800's for the colonists. They are part of the foundation of America and create security for the people of this country.