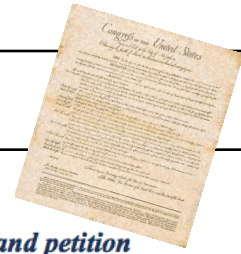


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World History -- Chapter 8-1: Royal Power Grows

Mr. Levendusky

## The US Bill of Rights, 1789



### **Amendment I (1): Freedom of religion, speech, and the press; rights of assembly and petition**

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 (2): Right to bear arms**

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 (3): Housing of soldiers**

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.

### **Amendment IV (4): Search and arrest warrants**

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 (5): Rights in criminal cases**

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 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 (6): Rights to a fair trial**

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.

### **Amendment VII (7): Rights in civil cases**

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 re-examined in any Court of the United States, than according to the rules of the common law.

### **Amendment VIII (8): Bails, fines, and punishments**

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

### **Amendment IX (9): Rights retained by the people**

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

### **Amendment X (10): Powers retained by the states and the people**

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.

## The Magna Carta

JOHN, by the grace of God King of England, Lord of Ireland, Duke of Normandy and Aquitaine, and Count of Anjou, to his archbishops, bishops, abbots, earls, barons, justices, foresters, sheriffs, stewards, servants, and to all his officials and loyal subjects, Greeting.

(1) FIRST, THAT WE HAVE GRANTED TO GOD, and by this present charter have confirmed for us and our heirs in perpetuity, that the English Church shall be free, and shall have its rights undiminished, and its liberties unimpaired. That we wish this so to be observed, appears from the fact that of our own free will, before the outbreak of the present dispute between us and our barons, we granted and confirmed by charter the freedom of the Church's elections - a right reckoned to be of the greatest necessity and importance to it - and caused this to be confirmed by Pope Innocent III. This freedom we shall observe ourselves, and desire to be observed in good faith by our heirs in perpetuity.

*(The writers have a problem with King John, not the Church. They want the Church to be able to act without the king's interference.)*

TO ALL FREE MEN OF OUR KINGDOM we have also granted, for us and our heirs forever, all the liberties written out below, to have and to keep for them and their heirs, of us and our heirs:

*(At the time, this covered about 10% of the population; however, over time, as more of the population qualified as "free men," it came to include practically all of the people of Great Britain.)*

(12) No 'scutage' or 'aid' (tax) may be levied in our kingdom without its general consent,

(14) To obtain the general consent of the realm for the assessment of an 'aid' - or a 'scutage' (tax), we will cause the archbishops, bishops, abbots, earls, and greater barons to be summoned individually by letter... to come together on a fixed day (of which at least forty days notice shall be given) and at a fixed place. In all letters of summons, the cause of the summons will be stated. When a summons has been issued, the business appointed for the day shall go forward in accordance with the resolution of those present, even if not all those who were summoned have appeared.

(20) For a trivial offence, a free man shall be fined only in proportion to the degree of his offence, and for a serious offence correspondingly, but not so heavily as to deprive him of his livelihood... None of these fines shall be imposed except by the assessment on oath of reputable men of the neighborhood.

(21) Earls and barons shall be fined only by their equals, and in proportion to the gravity of their offence.

(36) In future nothing shall be paid or accepted for the issue of a writ of inquisition of life or limbs. It shall be given gratis, and not refused.

*(This section required that an investigation be conducted in any case that might result in the defendant being deprived of life or limb, and subject to punishment. The writ calling for the investigation was to be issued free of charge.)*

*[A writ is a legal document issued by a court, under the authority of the state, compelling certain action to be taken.]*

(38) In future no official shall place a man on trial upon his own unsupported statement, without producing credible witnesses to the truth of it.

(39) No free man shall be seized or imprisoned, or stripped of his rights or possessions, or outlawed or exiled, or deprived of his standing in any other way, nor will we proceed with force against him, or send others to do so, except by the lawful judgment of his peers (equals) or by the law of the land.

(40) To no one will we sell, to no one deny or delay right or justice.

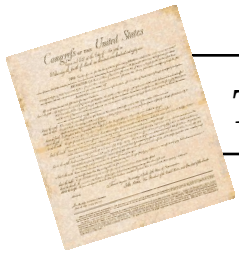
*(The practice, until this was written, was to charge a fee for certain writs. These charges were considered a way for the king to raise revenue.)*

(60) All these customs and liberties that we have granted shall be observed in our kingdom in so far as concerns our own relations with our subjects. Let all men of our kingdom, whether clergy or laymen, observe them similarly in their relations with their own men.

(63) IT IS ACCORDINGLY OUR WISH AND COMMAND that the English Church shall be free, and that men in our kingdom shall have and keep all these liberties, rights, and concessions, well and peaceably in their fullness and entirety for them and their heirs, of us and our heirs, in all things and all places for ever.

Name: \_\_\_\_\_ Date: \_\_\_\_\_ Per: \_\_\_\_\_

**World History -- Chapter 8-1: Royal Power Grows**



***The US Bill of Rights, 1789 ...compared with... The Magna Carta, 1215***

Themes	Magna Carta Section #	Evidence	Bill of Rights Amendment #	Evidence
<p><b>Rule of Law</b></p> <p>Power of the king is limited</p> <p>Separation of Church and State</p>				
<p><b>Fairness of Laws</b></p> <p>Reasonable rules</p> <p>Equal justice for all</p> <p>Punishment in proportion to crime</p>				
<p><b>Due process of law</b></p> <p>No trial without evidence/testimony</p> <p>Trial by jury of peers</p>				