

Freedom and Protection

Each time someone criticizes a public official, partakes in a trial by jury, or attends their religious institution, they are exercising a right guaranteed by the Bill of Rights. These first ten amendments were so crucial to the United States Constitution that some of our Founding Fathers refused to ratify it without being guaranteed its inclusion. Basic rights are underlined in these ten amendments, each of which is vital in the promotion of democracy. Without the Bill of Rights, United States' citizens would be denied the freedom and protection promised by the Founding Fathers.

Perhaps the most referenced portion of the constitution, the First Amendment provides many essential rights. Freedom of speech allows for citizens to provide their opinions on matters without the fear of being prosecuted. Had this right not been included, citizens would have no say in the government and would be forced to go along with what officials decide without playing an active role. A government by the people and for the people should provide the people with an opportunity to voice their concerns, a right guaranteed in this document. Had it not been for the freedom of press expressed in this document, citizens would have been deprived of important U.S. information such as the Pentagon Papers, which detailed the involvement of the U.S. in Vietnam from 1945 to 1967. The rights to assemble and to petition, like the previous two rights, allow citizens to voice their opinion with others who share it in hopes of convincing officials to take a stand. Without these rights, the civil rights movement, women's rights movement, abolitionist movement, and similar movements would have been broken up and the participants very likely would have been arrested. Lastly, the First Amendment gives the freedom of religion. As a result, people of all ethnic and religious backgrounds have migrated to the U.S. because they know that they will not be prosecuted for following a different religion, thus having the opportunity to live the American dream.

The Second Amendment provides for protection of U.S. citizens by allowing the presence of a militia and the right to bear arms. Though war is avoided unless necessary, it is important to provide citizens with protection in the case of an invasion or battle. It is also important to allow citizens to own weapons because sometimes life creates instances where someone may die if unable to bear arms. The Third Amendment ties in with the second, guaranteeing citizens' protection from the quartering of troops. Without this, troops would be allowed to station themselves in the houses of citizens without the consent of the property owners. This is an obvious invasion of private property, one of which is avoided as a result of the Bill of Rights.

The Fourth Amendment is one that all citizens can value: protection from unreasonable search and seizure. Citizens are guaranteed the right to privacy unless there is probable cause to search them or their house, in which case a warrant will be filed. Without this, thousands of innocent citizens would fall victim to possible damage of property as a result of searches conducted for no apparent reason. Unreasonable searches may also have resulted in the theft of items that did not need to be confiscated.

The Fifth Amendment provides a variety of rights that protect citizens. First, nobody is forced to answer to a crime unless in the presence of a Grand Jury, unless it occurs in the land or naval forces. This provides citizens with protection from unfair punishment. It also prohibits trying a defendant twice for the same crime on the same set of facts. This protects citizens from potentially spending time in jail for a crime they have already been punished for. This amendment also protects citizens from serving as witnesses against themselves and forbids the taking of private property without due process of law and just compensation. This has led to the use of the term “plead the fifth” as a way to avoid answering a question that may provide self-incriminating evidence. This right also aided the decision of *Miranda v. Arizona*, requiring police officers to provide citizens with their rights before taking them into custody. The forbidding of the taking of private property without due process of law and just compensation protects citizens from losing items without the opportunity of purchasing the item again.

Much like the previous amendment, the Sixth Amendment provides a variety of rights focusing on the judicial system. Among these rights is the right to a public and speedy trial by an impartial jury in the state in which the crime was committed, the right to be informed on the cause of the accusation, the right to be confronted with the witnesses arguing against him or her, the right to choose witnesses to argue in favor of him or her, and the right to an attorney. These rights allow for the protection of a citizen from a potentially bias political system through the presence of an impartial jury that is examined prior to the case to ensure impartiality, the guarantee of an attorney to defend the defendant and provide for a fair trial, the opportunity to allow witnesses to tell their side of the story, and a detailed explanation for why the case is taking place. Without these rights, innocent citizens may have been put in jail due to the lack of access to proper protection.

The Seventh amendment allows for a civil trial by jury. This provides the defendant with the opportunity of a trial by jury in which the facts heard will not be tried by further courts, according to the rules of common law. Like the previous amendment, citizens are guaranteed a fair trial because the jury is impartial and they are also guaranteed that what they say in one court case cannot be tried again in a separate U.S. court. The Eighth Amendment prohibits excessive bail and cruel and unusual punishment. This definitely provides for the protection of citizens because it doesn't require people to pay more than a certain amount for bail and ensures that they will not be treated in a manner that will cause suffering or humiliation. Without this, minor crimes could be punished with methods such as the breaking wheel or impalement.

The Ninth Amendment allows for the protection of rights not specifically enumerated in the Bill of Rights, thus allowing for a more broad interpretation and providing numerous amounts of rights to the U.S citizens. The Tenth Amendment states that the powers not given to the U.S. Constitution and not prohibited by the states are given to the states. This helped solve the issue of states' rights that Thomas Jefferson had fought in favor of for a long time. By including this amendment, states were given a larger amount of authority and citizens were provided with an

opportunity to influence the state governments rather than having to go straight to the federal government.

With all of the rights guaranteed by the Bill of Rights, it isn't hard to argue that it is one of the most important documents in United States history. It offers freedom and protection to the U.S. citizens and has played an essential role in history, from the abolitionist movement to the Pentagon Papers to *Miranda v. Arizona*. Without the Bill of Rights, the U.S. wouldn't be a true democracy.