

What Are Individual Rights or Freedoms? Each One Teach One

The Bill of Rights refers to the first ten Amendments to the U.S. Constitution. They were sent to the state legislatures in 1798 and ratified by the states in 1791. Together, the Amendments are known as the Bill of Rights.

The Founders created the Bill of Rights (the first ten Amendments to the U.S. Constitution) because many people were concerned that when the original Constitution was written it did not provide enough protection to certain individual freedoms or rights. The Founders wanted to make sure that the federal government would not take away those rights (sometimes called individual liberties or freedoms).

The purpose of the Bill of Rights (the first ten Amendments to the U.S. Constitution) is to protect individual rights (sometimes called individual freedoms or liberties). The Bill of Rights restricts government invasion of certain individual liberties, such as freedom of speech, press, assembly, and religion.

Almost two-thirds of the Bill of Rights (the first 10 Amendments to the U.S. Constitution) involves the rights of persons suspected or accused of crimes.

Among the rights of persons suspected or accused of crimes that are protected by the Bill of Rights (the first 10 Amendments to the U.S. Constitution) are due process of law, the right to a fair trial, freedom from self-incrimination, freedom from cruel and unusual punishment and the right not to be twice placed “in jeopardy of life or limb” by being criminally charged more than once for the same crime.

Most of the provisions in the U.S. Constitution and Bill of Rights (the first 10 Amendments to the U.S. Constitution) protecting our individuals rights, are vague. Today, we have a good understanding of the parameters (*scope or range*) of most of our individual rights because they have been given meaning over the years by our courts through the process of judicial review and judicial interpretation.

No individual right (sometimes called an individual liberty or freedom) guaranteed by the Bill of Rights (the first 10 Amendments to the U.S. Constitution) is absolute.

The First Amendment to the U.S. Constitution protects an individual's right to his or her religious beliefs and practices, and it prevents the government from establishing a national religion. It protects members of religious minorities from being persecuted by the government for their beliefs or association with a particular religion.

The First Amendment to the U.S. Constitution protects an individual's right to speak freely, publish and express him or herself. Our freedom of expression is not absolute. It has limits. Speech in its many forms is regulated under certain circumstances in our country.

In the U.S., none of our individual rights or liberties are limitless or absolute. But the U.S. Constitution is interpreted to mean that Congress will make no laws limiting certain individual rights or liberties unless the public need is so great that a law must be passed to address that need or when an individual right or liberty infringes on another individual right or freedom. The law must balance the interests of the state with the interest of the individual when setting limits on individual rights.

The First Amendment to the U.S. Constitution does not specifically mention that people have the right to association. It does declare, however, that people have the right to peaceably "assemble and petition government." Our individual right or liberty to freely associate with others has grown out of our interpretation of what it means to have a right to "peaceably assemble."

Our individual right (or liberty) to association, guaranteed by the First Amendment to the U.S. Constitution, protects our membership in an organization. We can associate with individuals who share similar ideas or goals. Even if an organization engages in some unlawful activity, a person has a right to belong to that association as long as he or she does not participate in the group's unlawful activities or share its unlawful purposes.

The Fourth Amendment to the U.S. Constitution protects two rights: the right to privacy and the right to protection from arbitrary government actions. It protects the right/liberty to be "secure" in our persons and effects from unreasonable searches and seizures by the government.

Under the Fourth Amendment to the U.S. Constitution, the government usually cannot enter your home unless it has either your permission or a court order (called a warrant). To get a warrant, law enforcement must demonstrate to a neutral (having no side or stake) judge that there is evidence justifying a search.

Generally, under the Fourth Amendment to the U.S. Constitution, law enforcement must demonstrate through evidence that cause exists to get a warrant from a judge authorizing a search or seizure. This is called probable cause. But, the courts have decided it is in the public interest to make legal exceptions to this requirement. Under certain unusual circumstances, warrants aren't required for a search or seizure. The police just have to have some minimal objective justification.

The right to privacy is not specifically included in the list of the Constitution's guaranteed rights. This right has been determined by court decisions interpreting the Bill of Rights. The right to privacy prevents the government from interfering with a number of things that are generally unintended for public observation.

Part of the Fifth Amendment of the Bill of Rights (the first 10 Amendments to the U.S. Constitution) is intended to protect accused persons from being forced to give evidence against themselves. This is also called the right against "self-incrimination." In criminal cases, we are not compelled to be witnesses against ourselves.

The part of the Fifth Amendment of the Bill of Rights (the first 10 Amendments to the US Constitution) that guarantees *due process* of law gives accused persons certain rights during trials. These include the right to be given information about the crime they are accused of having committed, the right to be at their own trial, and the right to a fair and impartial judge.

Part of the Sixth Amendment of the Bill or Rights (the first 10 Amendments to the U.S. Constitution) gives people accused of crimes the right to a speedy trial by a jury.

Part of the Sixth Amendment of the Bill or Rights (the first 10 Amendments to the U.S. Constitution) gives people accused of crimes the right to know what crimes they have been accused of committing.

Part of the Sixth Amendment of the Bill or Rights (the first 10 Amendments to the U.S. Constitution) gives people accused of crimes the right to question people who either accuse them of crimes or testify against them in court.

Part of the Sixth Amendment of the Bill or Rights (the first 10 Amendments to the U.S. Constitution) gives people accused of crimes the right to a lawyer.

Due process is mentioned in two Amendments to the U.S. Constitution: the Fifth and the 14th. There are two types of due process—procedural due process and substantive due process.

Procedural due process is the right of people to enjoy certain constitutionally guaranteed procedures or processes. Procedural due process involves the steps that are taken in the course of making a legal decision. If the government decides to take away a person's protected rights or liberties, the steps involved in the process leading up to that decision must be fair because the Constitution guarantees procedural due process. The goal of procedural due process is fairness.

Substantive due process involves the actual rights or liberties that a person has that are spelled out in the Constitution. They include the right to life, liberty, property, speech, press religion, assembly and to petition the government. Substantive due process also involves some additional rights, such as the right to privacy, which are not spelled out in the Constitution but which the courts have determined are also guaranteed by the Constitution.

The due process clause itself is part of the 14th Amendment. Because of the 14th Amendment, individual liberties, protections and rights covered by the Bill of Rights must be honored by state and local governments as well as by the federal government. Before the 14th Amendment was ratified (1868), the U.S. Constitution did not protect people from actions of their state and local governments that took away rights listed in the federal Bill of Rights.

The due process clause of the 14th Amendment is the part of the Constitution that ensures that the Bill of Rights also protects individuals from actions taken by their state and local governments.

The equal protection clause of the 14th Amendment ensures that similarly situated people must be treated equally before the law. We call this equal protection under the law. For example, a law that punished only Latinos would be a clear violation of the Constitution., A legal process that singled out only Arab Americans based solely on their race would also violate the equal protection clause.

Originally, the Bill of Rights only applied to the actions of the federal government. It kept the federal government from infringing on the rights/liberties of individuals. With the passage of the 14th Amendment, the courts started to slowly hold through court decisions that most of the Bill of Rights applied to the states as well.