U.S. Government	Name
Unit 3 Lesson 19: V	Vhat Rights Did the Constitution Protect? How Was
	ded to the Constitution?
(Lecture/Reading Notes)	
	The Framers included a number of in the Constitution to
	protect specific rights to prevent the type of abuses the Framers had
	seen in British history, their own colonial & state governments, and
	under the Articles of Confederation.
What rights were	Political independence & other rights of public
specifically	- Freedom of for members of Congress (cannot be
protected in the	for anything they say on the floor of Congress)
Constitution?	- They cannot be arrested for crimes they commit while
	Congress is in session
	- Congress is prohibited from imposing a religious ""
	- Members of the executive & judicial branches are protected by
	the clauses to protect a fair hearing for them.
	rights against violations by state governments
	- Protects citizens from states impairing obligation of
	 States had to return slaves (Fugitive Slave Clause) Prohibited from passing ex post laws, bill of
	, or from violating habeas
	Individual rights against violations by the government
	- Prohibited from passing ex post facto laws, bill of attainders,
	or from violating habeas corpus or trial by
	- Protection from the accusation of
	Madison's goal was to protect rights (please Anti-
What	Federalists) and to not change the Constitution (please the
amendments to).
the Constitution	Madison believed that governments were the greatest
did Madison	threat to individual rights because could gain control
propose?	of and pass legislation to benefit themselves.
	Due to this fear of the states Madison drafted:
	- No shall violate the equal rights of conscience, or the
	freedom of the press, or the trial by jury in criminal cases.
	To resolve Madison's fear that rights not listed could be violated
	later he drafted the th Amendment:
	- The enumeration in the Constitution of certain rights shall
	not be to deny or others retained by the people. (this was intended to protect all
	rights not already listed)
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	Madison believed the amendments should be included into the body of
	the Constitution, but this was not accepted. The thought was that this
	would then require the Constitution to be re-ratified; therefore, the
	amendments were added as the Bill of Rights $(1^{st} 10 \text{ Amendments})$.
	As well, the Constitution historically preceded the Bill of Rights so
	adding the Bill of Rights (1791) was historically accurate.

How did Congress respond to Madison's proposals?	Bill of Rights was not seen as important as other priorities of the 1 st Congress. The voted down Madison's amendment that would have limited the from violating individual rights. PLEASE NOTE: THIS IS CITED BY CHIEF JUSTICE JOHN MARSHALL IN THE 1833 CASE <u>BARRON V. BALTIMORE</u> WHEN THE COURT DECIDED THE BILL OF RIGHTS ONLY APPLIED TO THE FEDERAL GOVERNMENT.
What did people think of the Bill of Rights in 1791?	The Bill of Rights had little to no effect on American's of the day. The Supreme Court ruled in 1833, that the Bill of Rights applied ONLY to the Federal Government (<i>Barron v. Baltimore 1833</i>) - As a result it was not until adoption of the Amendment in 1868 and the Supreme Courts application in the 20 th Century- that citizens would be protected from violations of these rights by governments.
Critical Thinking: The 2 nd Amendment (pg. 100-101)	1. 2. 3.
Were the Framers aware of other threats to rights?	In the 20 th Century, the Bill of Rights has become something it never was in the 18 th Century. It is, perhaps, the most important single document protecting individual rights. The struggle to extend its protections to all Americans has taken over 200 years and the struggle continues.
On a separate sheet of paper: Complete Reviewing & Using the Lesson Ques. 1-5 page 101. (Be prepared to turn in as homework)	