

SS.7.C.3.6

Evaluate constitutional rights and their impact on individuals and society.

SS.7.C.3.6 Benchmark Clarification 1: Students will recognize how individual rights shape involvement in the social, political, and economic systems.

The **Bill of Rights** protects individual rights. For example, the **First Amendment** includes the personal rights and freedoms that include religious exercise, peaceable (peaceful) assembly, speech, press, and petition. Freedom of peaceable assembly is the right to hold meetings and form groups without the government interfering. The right to petition means that people have the right to ask the government to fix problems. All of these rights are both political (so that individuals are protected when they want to have a voice in government) and social (so that people can organize to have a voice in government).

The **Fifth Amendment** protects citizens' life, liberty, and **property rights** from being violated by the federal government. The **Fourteenth Amendment** protects citizens' life, liberty, and property rights from being violated by state governments.

Economic rights are also important. They include the right to buy, sell, produce, trade, purchase, or use goods and services. Property rights are a major part of economic rights. Property rights include the right to own, produce, trade, purchase, or use property. The idea of private property is very important to many Americans.

Several amendments make sure that people accused of crimes are treated fairly. The Fourth and Fifth Amendments protect people accused of crimes from abuse of power by the federal government. The Fourteenth Amendment protects people accused of crimes from abuse of power by the state governments. Some of the rights in these amendments include protection from illegal **search and seizure** of someone's property, protection from **cruel and unusual punishment**, the right to remain silent and not testify against yourself when accused of a crime, and the right to a jury trial, a lawyer, and **due process**. Due process simply means that the laws must be fair and must be followed properly before someone's life, liberty, or property is taken from them.

Bill of Rights - the first ten amendments of the U.S. Constitution

cruel and unusual punishment - punishment prohibited by the Eighth Amendment to the U.S. Constitution; includes torture or other forms of punishment too severe for the crime committed

due process - the right of people accused of crimes to have laws that treat them fairly, so that they cannot lose their life or freedom without having their legal rights protected

Fifth Amendment - an amendment to the U.S. Constitution that provides protections to a person accused of a crime, including the right of due process.

First Amendment - an amendment to the U.S. Constitution prohibiting Congress from establishing a religion, and from interfering with freedom of religious exercise, press, speech, assembly, or petition

Fourteenth Amendment - an amendment to the U.S. Constitution that defines citizenship, grants citizenship to former slaves and defines voters as males at least 21 year of age

property rights - the right to own property; mentioned in the Fifth and Fourteenth Amendments

search and seizure - the process by which police or other authorities who suspect that a crime has been committed do a search of a person's property and collect any relevant evidence to the crime; protection from illegal search and seizure is in the Fourth Amendment