

50 Expressly Stated Constitutional Rights and Protections

A Print For Liberty Handout

I. Protections in the original Constitution

1. The writ of habeas corpus

Source: Article I, Section 9, Clause 2

What it protects: A detained person may challenge the legal basis of the detention before a court. Congress may suspend the writ only during rebellion or invasion when public safety requires it.

2. No bills of attainder

Source: Article I, Section 9, Clause 3; Article I, Section 10, Clause 1

What it protects: Neither Congress nor a state legislature may declare a person or group guilty and impose punishment without a judicial trial.

3. No ex post facto criminal laws

Source: Article I, Section 9, Clause 3; Article I, Section 10, Clause 1

What it protects: Government may not retroactively criminalize conduct or increase criminal punishment after the conduct occurred.

4. Jury trial for federal crimes

Source: Article III, Section 2, Clause 3

What it protects: Trials of federal crimes, except impeachment proceedings, must be conducted by a jury in the state where the crime was committed. The Sixth Amendment later adds further safeguards.

5. A narrow constitutional definition of treason

Source: Article III, Section 3, Clause 1

What it protects: Treason is limited to levying war against the United States or adhering to its enemies and giving them aid and comfort. Political disagreement cannot simply be relabeled treason.

6. Special proof required for treason

Source: Article III, Section 3, Clause 1

What it protects: A treason conviction requires either a confession in open court or testimony from two witnesses to the same overt act.

7. Limits on punishment for treason

Source: Article III, Section 3, Clause 2

What it protects: Punishment for treason may not create hereditary guilt or permanent forfeiture extending beyond the convicted person's lifetime.

8. Interstate privileges and immunities

Source: Article IV, Section 2, Clause 1

What it protects: A state generally may not treat visiting citizens of other states as outsiders regarding fundamental activities and basic civil rights simply because they live elsewhere.

9. No religious test for federal public office

Source: Article VI, Clause 3

What it protects: Holding a federal public trust may not depend upon professing, rejecting, or belonging to a particular religion.

II. The Bill of Rights

10. No federal establishment of religion

Source: First Amendment

What it protects: Congress may not establish an official religion or use governmental power to favor religious establishment. The Fourteenth Amendment later made this restriction applicable to states through incorporation doctrine.

11. Free exercise of religion

Source: First Amendment

What it protects: Government may not prohibit the free exercise of religion, although neutral and generally applicable laws can still operate in this area.

12. Freedom of speech

Source: First Amendment

What it protects: Government may not abridge expression merely because officials or the public dislike its viewpoint, subject to historically recognized legal limits.

13. Freedom of the press

Source: First Amendment

What it protects: Government may not suppress or control the press merely because its reporting scrutinizes power or presents disfavored ideas.

14. Peaceable assembly

Source: First Amendment

What it protects: People may gather peacefully for expressive, political, religious, civic, or social purposes, subject to lawful content-neutral rules.

15. Petitioning government for redress

Source: First Amendment

What it protects: People may ask government to correct grievances without being punished merely for making the request.

16. Keeping and bearing arms

Source: Second Amendment

What it protects: The people have a right to keep and bear arms. Like other constitutional rights, its legal scope is subject to constitutional interpretation and some regulation.

17. No forced quartering of soldiers in peacetime

Source: Third Amendment

What it protects: Soldiers may not be housed in a private home during peacetime without the owner's consent; wartime quartering must be authorized by law.

18. Security against unreasonable searches and seizures

Source: Fourth Amendment

What it protects: People, homes, papers, and effects are protected from unreasonable government searches and seizures.

19. Probable cause for warrants

Source: Fourth Amendment

What it protects: A warrant may issue only upon probable cause supported by oath or affirmation. Suspicion alone is not enough.

20. Particularity in warrants

Source: Fourth Amendment

What it protects: A warrant must particularly describe the place to be searched and the persons or things to be seized, preventing open-ended general warrants.

21. Grand-jury presentment or indictment

Source: Fifth Amendment

What it protects: Federal prosecution for a capital or otherwise infamous crime generally requires a grand-jury presentment or indictment, with an express military-service exception. This requirement has not been incorporated against the states.

22. Protection from double jeopardy

Source: Fifth Amendment

What it protects: A person may not be placed twice in jeopardy by the same sovereign for the same offense after jeopardy has legally attached, subject to defined exceptions.

23. Protection against compelled self-incrimination

Source: Fifth Amendment

What it protects: A person may not be compelled to testify against himself in a criminal case.

24. Federal due process of law

Source: Fifth Amendment

What it protects: The federal government may not deprive a person of life, liberty, or property without lawful procedures and legally sufficient justification.

25. Just compensation for government takings

Source: Fifth Amendment

What it protects: Private property taken for public use requires just compensation.

26. A speedy criminal trial

Source: Sixth Amendment

What it protects: An accused person is entitled to a trial without unconstitutional delay, limiting prolonged uncertainty and impairment of the defense.

27. A public criminal trial

Source: Sixth Amendment

What it protects: Criminal proceedings ordinarily must be open to public observation, promoting fairness and public accountability, subject to limited courtroom closures.

28. An impartial criminal jury

Source: Sixth Amendment

What it protects: The accused is entitled to decision by jurors who can fairly evaluate the case rather than begin with prejudice or disqualifying bias.

29. Trial in the proper state and district

Source: Sixth Amendment

What it protects: A criminal jury must come from the state and legally established district where the crime was committed.

30. Notice of the criminal accusation

Source: Sixth Amendment

What it protects: The accused must be informed of the nature and cause of the accusation so

that a meaningful defense can be prepared.

31. Confronting adverse witnesses

Source: Sixth Amendment

What it protects: A criminal defendant has the right to confront witnesses who testify against him, permitting adversarial testing through cross-examination.

32. Compulsory process for defense witnesses

Source: Sixth Amendment

What it protects: A defendant may use the court's authority to obtain witnesses whose testimony is material to the defense.

33. Assistance of counsel

Source: Sixth Amendment

What it protects: A criminal defendant has the right to legal assistance; Supreme Court doctrine requires appointed counsel for qualifying defendants in cases in which loss of liberty may be imposed.

34. Jury trial in qualifying federal civil cases

Source: Seventh Amendment

What it protects: In federal civil suits at common law where the value in controversy exceeds twenty dollars, the right to jury trial is preserved. The historical dollar wording remains in the text.

35. Protection of civil-jury fact-finding

Source: Seventh Amendment

What it protects: Facts tried by a civil jury generally may not be reexamined by another federal court except under common-law rules.

36. No excessive bail

Source: Eighth Amendment

What it protects: When bail is legally available, it may not be set excessively to serve improper purposes. The clause does not create an absolute right to bail in every case.

37. No excessive fines

Source: Eighth Amendment

What it protects: Government may not impose financial penalties that are grossly disproportionate to the offense.

38. No cruel and unusual punishments

Source: Eighth Amendment

What it protects: Government punishment is subject to constitutional limits concerning cruelty, proportionality, and historically unacceptable methods or conditions.

39. Retention of unenumerated rights

Source: Ninth Amendment

What it protects: Listing certain rights in the Constitution must not be interpreted to deny or disparage other rights retained by the people. The amendment does not provide a complete list of those retained rights.

40. Powers reserved to states or the people

Source: Tenth Amendment

What it protects: Powers not delegated to the United States, and not prohibited to the states, are reserved to the states respectively or to the people. This is principally a structural safeguard of limited federal power.

III. Rights added after the Bill of Rights

41. Freedom from slavery and involuntary servitude

Source: Thirteenth Amendment, Section 1

What it protects: Slavery and involuntary servitude are prohibited throughout the United States and places under its jurisdiction, except as punishment for a crime after lawful conviction.

42. Citizenship by birth or naturalization

Source: Fourteenth Amendment, Section 1

What it protects: People born or naturalized in the United States and subject to its jurisdiction

are citizens of the United States and of the state where they reside.

43. Protection of national privileges or immunities

Source: Fourteenth Amendment, Section 1

What it protects: States may not abridge the privileges or immunities of citizens of the United States. Supreme Court precedent has interpreted this clause more narrowly than many other Fourteenth Amendment protections.

44. State due process of law

Source: Fourteenth Amendment, Section 1

What it protects: States may not deprive any person of life, liberty, or property without due process of law. This clause is also the principal textual vehicle through which most Bill of Rights protections apply to state and local governments.

45. Equal protection of the laws

Source: Fourteenth Amendment, Section 1

What it protects: A state may not deny any person within its jurisdiction the equal protection of its laws. The protection extends to persons, not only citizens.

46. Voting rights regardless of race

Source: Fifteenth Amendment

What it protects: The United States and the states may not deny or abridge the right to vote on account of race, color, or previous condition of servitude.

47. Direct election of U.S. senators

Source: Seventeenth Amendment

What it protects: Each state's voters directly elect its two U.S. senators, replacing selection by state legislatures.

48. Voting rights regardless of sex

Source: Nineteenth Amendment

What it protects: The United States and the states may not deny or abridge the right to vote on account of sex.

49. No poll tax in federal elections

Source: Twenty-Fourth Amendment

What it protects: Voting in federal elections may not be denied or abridged because a person failed to pay a poll tax or another tax.

50. Voting rights at age eighteen

Source: Twenty-Sixth Amendment

What it protects: Citizens who are eighteen years of age or older may not have their voting rights denied or abridged by the United States or a state on account of age.

Hello,

I am the concept creator, artist, and owner of PrintForLiberty.com. My intent is to create and provide for a public awareness of the protections already

established and provided, to us in our country. Many have taken an oath to support and defend the Constitution, unaware of what it says. Few actually

do it. Tell people what and how you feel, wear a t-shirt. It is A way to spark conversation, a way to demonstrate your own support, a way to let people

know the constitution is worth supporting.

Best wishes,

(Cleatun) Clayton Cannaday

P.S.; Tell your friends and family – the idea to value, support, and defend the rights outlined in the Constitution might Catch on.