Your Name

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Date

The Bill of Rights

The Bill of Rights constitutes of first 10 amendments to the constitution of the United States. The Bill protects and saves citizens from unreasonable seizures, searches, and unusual and cruel punishments. The Bill aims at limiting the authority of the government over the freedom of religion, speech, press, and other such aspects. The Bill sets many rules for the process of law and does not allow reserving all powers delegated to the state or the federal government. The Bill specifies that the enumeration in the constitution shall not be denied or disparage others, which are retained by the people. The Bill of rights is in actual amendments in the constitution of the United States after some considerations and legislations.

# Freedom of Religion

The first freedom that is going to be viewed in this paper is the freedom of religion. The first amendment in the constitution protects the rights of freedom of expression and freedom of religion. Freedom of religion is guaranteed in the two clauses of the first amendment from which the establishment clause prohibits the state or government from passing any rule or legislation to declare or establish any religion official or giving preference to one religion over others. The clause is enforces separating religion from the affairs of state. The second clause that talks about the freedom of religion are called free exercise clause, and it prohibits the government and authorities from interfering in personal religious practices of individuals(“First Amendment”). However, some activities of the government regarding religion are allowed, including enforcement of the blue laws and providing parochial school systems with the bus services. It is the responsibility of all the states to take effective and necessary measures in order to eliminate and prevent discrimination on religious grounds or belief in the exercise, recognition, fundamental freedoms, and enjoyment of human rights. The government must rescind or enact legislation that was required to prevent any discrimination and to take all the adequate measures to confront intolerance on religious grounds.

The possible changes in the first amendment regarding freedom of religion, allowing every citizen to exercise and implement his religion without any force and pressure. The constitution must introduce adequate rules and laws in order to ensure the least intervention in a person’s personal belonging to religion not only by the state and authorities but also from other groups. Penalties must be introduced for civil actors who may involve in such practices, and no one shall be exposed to coercion, which may result in impairing his/her freedom of belief or religion.

# Freedom of Speech

The second freedom offered in the first amendment of the Bill of rights is the freedom of expression. The Bill considers freedom of expression as a fundamental right of the citizens and ensures the protection of this right. The right to freedom of expression is divided into two aspects of expression. These expect of freedom of expression are freedom of speech and freedom of the press. The right to freedom of expression allows masses and individuals to express their views and sentiments without the interference of regulatory authorities or the government. The Supreme Court of the United States requires the government to offer adequate justification in case of attempting any regulation in speech. A person cannot be held accountable either civilly or criminally for anything spoken or written about a topic or person as long as it is based on facts and honest opinion(“The Bill of Rights”). Apart from enduring freedom of expression, the Supreme Court has recognized that authorities may prohibit and ban some speeches and writing which are responsible for disturbing peace and law and order situation of the country and may result in violence. These include fighting words, obscenity, and advocacy of illegal actions. The right to freedom of speech includes many other mediums of expression that express a message.

The freedom of expression in terms of speech is very important and considered as one the basic rights of freedom according to the Bill of rights. However, there are some areas where amendments are required. The freedom of speech without any restriction and defined boundaries can prove to be catastrophic in many ways as it can affect the sentiments of others and may result in erupting anger and, ultimately, violence. So it must be banned and strictly prohibited for any person to exploit religious sentiments of others. The government must ensure strict penalties for blasphemous and derogatory remarks about religion and religious personalities that may result in hurting religious sentiments of a section of the population.

# The right to trial

In the Bill of rights, the right to a jury trial under state prosecutions was proposed and introduced in the sixth amendment of the constitution. The sixth amendment is applicable in the criminal prosecutions, and according to this amendment related to the right to a jury trial, only those activities and actions are considered as crimes that are forbidden by congress. The sixth amendment protects and safeguards the rights (accused) to a fair trial such as public and speedy trial to have a jury which is unbiased and impartial and are able to confront the accused. For such crimes, penalties for disobedience are already defined in the constitution. The Supreme Court of the United States has declared four balancing tests to determine whether the right of speedy trial is offered or refused to a common citizen. These four tests include length of the delay, the reason for the delay, degree of prejudice and the manner and time in which the defendant has asserted his concerning right. The delay in the trial may not be caused by the prosecution for their advantage but to secure the victim by the presence of an absent witness or any other practical considerations. If a defendant is willing to delay the trial for his benefit, he will not be liable to reclaim the trial in the future because it is delayed unduly. Another factor that may be helpful in determining the impartiality of the jury is determining the jury panel to select reliable and qualified jurors for efficient jurisprudence. A juror must exhibit and represent a fair cross-section of the society so that a defendant is satisfied by the reliability of the trial (Black). The Supreme Court had also invalidated a law regarding the women population, which exempted the female population of the society who could not make a declaration of willingness from jury service when men were not treated the same way.

According to the sixth amendment, a criminal defendant is allowed to have a witness in his/her favor. According to Bill of rights, if a witness refuses to give testimony in favor of the criminal defendant, the Court will force him/her to do so on the request of the defendant. This compelling to witness may not be a just option in consideration with giving a chance of fair trial as the willingness of the witness to give testimony is challenged. The proposed amendment in the right of a free trial according to the Bill of law is not to force and compel anyone for testimony on the Court’s order. Also it should not be allowed even on the request of the criminal defendant if the witness is not willing for it.

**Works Cited**

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