1. Record Nr. UNINA9910822104003321 Autore Levy Leonard W (Leonard Williams), <1923-2006.> Origins of the Bill of Rights / / Leonard W. Levy Titolo Pubbl/distr/stampa New Haven, CT,: Yale University Press, c1999 **ISBN** 9786611729356 0-585-33799-3 1-281-72935-3 0-300-12902-5 Edizione [1st ed.] Descrizione fisica 1 online resource (320 p.) Collana Contemporary law series Disciplina 342.73/085 Civil rights - United States - History Soggetti Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Description based upon print version of record. Note generali Nota di bibliografia Includes bibliographical references (p. 297-298) and index. Nota di contenuto Frontmatter -- Contents -- Preface -- Chronology -- ONE Why We Have the Bill of Rights -- TWO Habeas Corpus -- THREE Bills of Attainder -- FOUR The First Amendment: The Establishment Clause --FIVE The First Amendment: The Free Press Clause -- SIX The Right to Keep and Bear Arms -- SEVEN The Fourth Amendment: Search and Seizure -- EIGHT The Fifth Amendment: The Right Against Self-Incrimination -- NINE Double Jeopardy -- TEN The Double Jury System: Grand and Petty -- ELEVEN The Eighth Amendment -- TWELVE The Ninth Amendment: Unenumerated Rights -- Appendix: Key Documents -- Bibliography -- Index Sommario/riassunto Americans resorted to arms in 1775 not to establish new liberties but to defend old ones, explains constitutional historian Leonard W. Levy in this fascinating history of the origins of the Bill of Rights. Unencumbered by a rigid class system, an arbitrary government, or a single established church squelching dissent, colonial Americans understood freedom in a far more comprehensive and liberal way than the English, Levy shows. He offers here a panoramic view of the liberties secured by the first ten amendments to the Constitution-a penetrating analysis of the background of the Bill of Rights the

meanings of each provision of the amendments. In colonial America, political theory, law, and religion all taught that government was

limited. Yet the framing and ratification of the Bill of Rights-in effect a bill of restraints upon the national government-was by no means assured. Levy illuminates the behind-the-scenes maneuverings, public rhetoric, and political motivations that led to each provision. The omission of a bill of rights in the original constitution presented the most serious obstacle to its adoption, despite Federalist claims that a bill of rights was unnecessary. Opponents of the Constitution claimed that inclusion of only some liberties-such as the right to habeas corpus and freedom from ex post facto laws-meant that all other liberties would be lost. But, Levy demonstrates, the people of the United States, aided by a persistent James Madison and by traditions of freedom, had the good sense to support both the Constitution and the Bill of Rights.