

Paper - C-4  
(Comparative Constitutional  
Systems)

Unit - 6: Rights of the Citizens of  
UK, USA and PRC

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## **7 Rights of British Citizens**

In most countries certain basic civil and political rights are guaranteed by a formal statement, either embodied in the constitution or the legal code in the country. In Britain, there are no such guarantees. **Individual rights and liberties in Britain, as Dicey maintained, are based on ordinary law of the land and protected by the courts.** The British have thus a negative view of liberty; a citizen may do as one wishes, as long as it is not forbidden, i.e., as long as the action does not transgress the law or interfere with the rights of others.<sup>4</sup> Conversely, if a citizen's rights are infringed, whether by another citizen or by a state official, he may seek his remedy in the courts. The courts will decide on the basis of the age-old assumption that a person is entitled to freedoms as is not taken from him by law. In short, the basic rights of British citizens—personal freedom, freedom of association, freedom of assembly, freedom of expression—are secured by ordinary law of the land.

### **1 Personal freedom**

The right to move about one's business, that is, freedom from "arbitrary arrest and detention" has long been regarded as the pillar of temple of liberty in Britain. Dicey said, "the right to personal liberty as understood in England means in substance a person's right not to be arrested or imprisoned or otherwise punished, except in the due course of law". The principles of the law protecting personal freedom are :

1. A person is presumed to be innocent until proven guilty.
2. Every imprisonment is *prima facie* unlawful, and a person directing imprisonment is to justify his act (*Liversidge v. Anderson and Another, 1942*).

3. No citizen may be lawfully arrested by a police officer without a written warrant for arrest. This means that a citizen has rights not to be detained without a trial (i.e. a person has to be charged with a specific offence if he is to be detained), to be brought before magistrate within 24 hours if so charged, and to a fair trial.

These rights are generally observed but there have been exceptions. During the Second World War, the Defence Regulation 18B empowered the Home Secretary to detain any person whom he had reasonable cause to believe was hostile to the State.

4. If a person has been wrongfully imprisoned he/she has a range of remedies available in civil and criminal law, on grounds such as malicious prosecution, false imprisonment and assault.

In addition, there is the classic guarantee of individual liberty against arbitrary arrest and detention—the writ of *Habeas Corpus*. When detained without sufficient and just cause, the individual can avail of the writ to secure his release. Even if the cause is sufficient, the writ of *Habeas Corpus* is also used to secure a speedy trial.

5. The police cannot make house to house search unless specially authorised by law. The British law is that "the English man's home is his castle".

All these rights are generally observed. However, the executive has the authority to limit freedom of the person by taking an unrestricted power of arrest on the basis of great national emergency. During the Second World War, the Defence Regulation 18B empowered the Home Secretary to detain any person who he had reasonable cause to believe was hostile to the State. Under emergencies, even *Habeas Corpus* can be suspended, as was the case, for example, in the fight against the Chartists.

## 2 Freedom of speech and expression

Freedom of speech and expression, which includes freedom of conscience and worship, consists in the right of a British citizen to speak or write what he chooses provided that the law is not infringed. It means nothing more nor less than this that a British subject may speak or write anything so long as he is not guilty of defamation, sedition, blasphemy, or obscenity; the Race Relations Act of 1976 also makes it a criminal offence to utter or publish

statements which are likely to incite racial hatred. An important legal constraint on personal conduct in recent years has been the growth of antidiscriminatory legislation (e.g. the Equal Pay Act of 1970 and the Sex Discrimination Act 1975).

### 3 Freedom of assembly or meeting

British citizens possess the right to assemble to discuss political questions and social issues and organise to secure political action. But this freedom is not absolute. Meetings and processions are subject to the laws on obstruction of the highway, public nuisance, and trespass, and to local authority by-laws. For example, no march may be held within a mile of Parliament when it is in session. The 1936 Public Order Act has empowered the police to ban a procession if they have reason to fear that it may provoke disorder.

### 4 Freedom of property

This is the key freedom in a capitalist society which is based on the private ownership of property. This freedom consists "in the free use, enjoyment and disposal of all his dispositions, without any control or diminution, save only by the laws of the land". The Englishman's home is often said to be "his castle". The enjoyment of property rights is however subject to the following limitations :

1. The owner or occupier may not use land so as to constitute a nuisance either to the public at large or to his neighbour in particular.
2. The police may enter premises to execute a warrant for arrest and search a person whom they have lawfully arrested.
3. Parliament may impose taxes on property for raising the revenue of the state.
4. Parliament may by law authorise the executive to acquire property for public purposes on payment of compensation.

Freedom of property, then like personal freedom, "is residual" (to use the expression of O. H. Phillips).

### 5 Freedom of association

Freedom of association for political and other purposes rests upon the common law as well as upon modern statutes which deal with the organisation of labour, e.g., the use of funds for political purposes by trade unions. British citizens have the right to form any association and are free to pursue their objectives by any means provided they are not expressly forbidden by law. They have the right to associate for expression of political views provided they are not engaged in a criminal conspiracy or do not infringe the 1936 Public Order Act.

### Comments

When considering individual rights it becomes apparent that in Britain these rights are so hedged with qualifications and ambiguities that it is difficult to know what one may actually do. In the ironic words of Hood Phillips : "A person is not liable for what he speaks or writes—unless he is. No liability attaches to one who takes part in a public meeting—unless it does".<sup>5</sup> British freedom of speech, demonstration, and association exist as long as, and to the extent that, they do not infringe the law. Many rights are enshrined in the common law and derived from judicial decisions and the willingness of Parliament to uphold them. In recent decades, however, as the power of the executive and scope of legislation has increased, doubts have grown about Parliament's ability to protect individual liberties. Many thinking persons have opined that the common law is now a fragile shield against a sovereign Parliament and the more interventionist scope of legislation. They call for the adoption of a Bill of Rights by Parliament. In 1980 and 1981 a Bill of Rights, modelled on the European Convention on Human Rights, passed through the House of Lords, but it fell through as the House of Commons could not find time to consider the Bill.

### Notes

1. See, J. Bell, *Policy Arguments in Judicial Decisions*, Oxford : Clarendon, 1983; Lord Devlin, *The Judge*, Oxford : Oxford University Press, 1981; S. Lee, *Judging Judges*, London : Faber and Faber, 1988.
2. Dennis Kavanagh, *op.cit.*, p. 280.
3. See J. Griffith, *The Politics of the Judiciary*, London : Fontana, 1985.
4. See H. Street, *Freedom, the Individual and the Law*, London : Penguin, 1982.
5. O. H. Phillips, *Constitutional and Administrative Law*, London, 1987. pp. 39-40.

## Chapter 8 Fundamental Rights and Duties

### 1 Nature of Fundamental Rights of Chinese Citizens

Like other democratic Constitutions in the world, the Chinese Constitution has guaranteed certain basic rights and freedoms to Chinese citizens. It embodies, like the erstwhile Soviet Constitution, an extraordinary bill of rights known to history. Chapter 2 of the new Constitution is headed by "The Fundamental Rights and Duties of the Citizens" and consists of 24 articles. And like the Soviet bill of rights, the Chinese bill of rights has a distinctive character of its own.

1. In the first place, like the Soviet Bill of Rights system, the Chinese bill of rights places **special emphasis on economic rights of citizens** whereas economic rights are not fundamental rights in Britain and the United States or other Western-type democracies. In non-socialist countries civil rights and freedom of the individual are only guaranteed. The Chinese Constitution has also guaranteed these rights. But the makers of the Constitution, following the ideology of Marxism-Leninism and Mao Zedong Thought, insist that civil rights and freedoms are of little value unless an individual enjoys freedom from hunger, starvation and destitution. That is to say, economic freedom is the key to all other freedoms. The right to work and the right to rest constitute the heart and soul of economic freedom.

Accordingly, economic rights have occupied a pride of place in the Chinese bill of rights. The Constitution guarantees to every Chinese citizen the right to work, the right to rest, the right to retirement benefits as well as the right to maintenance from the State and society in old age, sickness and in case of disability. The Constitutions of Western democracies do not recognise these rights.

2. But the economic rights embodied in the Chinese Constitution are **"not constitutional rights in the sense that they can be enforced by the courts"**. These are guaranteed by the socialist economic system which is being established and developed by the State. A Chinese citizen thus enjoys economic right as a result of State policy. The socialist state of China creates conditions for employment and, on the basis of increased production, increases remuneration for work and social benefits. To ensure the right to rest, the state fixes working hours and vacation for the working people and expands

facilities for rest. The right to retirement benefits are being ensured by the State and society.

Thus the **economic rights** guaranteed in the Chinese Constitution are **not mere declaratory**. The Constitution states in the same article that sets forth a particular right of a citizen how this right is 'ensured' in practice. Economic rights arise from the socialist economic system and it is the constitutional duty of the state to maintain the system and develop conditions so that citizens can enjoy those rights.

3. Thirdly, like the bourgeois constitutions, the new Constitution of China embodies a number of civil rights and freedom: the right to vote and stand for election; freedom of speech, of association, of procession; freedom of religious belief; personal freedom etc. But in their nature and working, the Chinese civil rights differ from those of Western civil rights. In Western democracies, specific restrictions are imposed on particular civil rights, whereas the Chinese Constitution has placed **general restrictions on the individual's right to enjoy civil freedoms**. Article 51 of the Constitution declares that a citizen's "freedoms and rights may not infringe upon the interests of the State, of society and of the collective". It means that these are not rights for those who oppose the socialist system and its upholder, the Communist Party of China.

4. Fourthly, like the old Soviet Constitution and unlike all bourgeois Constitutions, the Chinese fundamental rights are based on the concept that the **interest of the individual and that of the socialist society are not incompatible**. But the fundamental rights in bourgeois Constitutions reflect incompatibility of individual interests and social interests.

5. Fifthly, as contrasted with the bill of rights in bourgeois constitutions, the Chinese **bill of rights records what has already been achieved and won in actual fact**. The Chinese declarations are not part of a programme which may or may not be pursued in future. They are a record of achievement which the state is to protect and develop.

6. Finally, the Chinese Constitution, while guaranteeing rights to its citizens, also imposes upon citizens definite **duties to the society and to the state**. For example, citizens of China have the right as well as the duty to receive education, have the duty to abide by the Constitution, the duty to defend the motherland. More importantly, Article 33 proclaims: "Every citizen enjoys rights and at the same time must perform the duties prescribed by the Constitution and the law". Thus whereas the Chinese Constitution speaks of both rights and duties, the bourgeois Constitutions speak of rights only. This is a characteristic feature of the Chinese fundamental rights.

## **2 Fundamental Rights**

The new Constitution of China, like the previous 1954 and 1978 Constitutions,

guarantees certain basic rights and freedom to citizens. In doing this it has amplified and at the same time abolished certain rights enumerated in the previous Constitutions and has made a few additions. The rights so guaranteed are mainly economic, social, personal and political rights.

### *Economic Rights*

1 **Right to work.** The Constitution guarantees all Chinese citizens the right to work. In non-socialist countries, it is not a constitutional right. To ensure this right, the State creates conditions for employment, strengthens labour protection, improves working conditions and, on the basis of expanded production, increases remuneration and social benefits. The State also provides necessary vocational training to citizens before they are employed.

2 **Right to leisure.** As in the erstwhile Soviet Union, the right of the working people to rest is constitutionally guaranteed. This right is ensured by the establishment of fixed working hours, by provision of annual holidays and gradually expanding material facilities for the working people to rest and recuperate.

3 **Right to material security.** The working people of China have the right to maintenance in old age, in sickness and in the event of disability. To ensure this right, the state gradually expands social insurance, social assistance, public health services, co-operative medical services and other services. The state and society make arrangements for the livelihood of disabled military personnel as well as for other disabled and handicapped persons.

4 **Right to education.** Citizens of China have the right and duty to receive education. The state ensures this right through gradual increase of the number of schools and of other cultural and educational institutions and through making primary education universal and compulsory.

### *Social and Personal Rights*

1 **Freedom of scientific research and other cultural activities.** Citizens of China are guaranteed freedom of scientific research, literary and artistic work and other cultural activities. It is the constitutional duty of the state to encourage and assist the creative endeavours of the citizens in these spheres of life.

2 **Equal right to women.** Women and men have equal rights in China in all spheres of their life. Men and women enjoy equal pay for equal work. The state trains and selects cadres from among women.

3 **Right to marriage and family.** The Constitution lays down that marriage shall be based on the free consent of the woman and the man. The state protects marriage, the family, and the mother and child. The constitution specifically states that the state advocates and encourages family planning.

4 **Freedom of conscience.** Citizens enjoy freedom of religious belief. The State protects normal religious activities. But any religious activity that disrupts public order, harms the health of citizens, or interferes with the

country's educational system is prohibited. Moreover, every citizen has the right to believe in any religion.

5 **Right to equality.** The right to equality is guaranteed. The Constitution proclaims that all Chinese citizens are equal before the law without distinction of nationality, race, sex, occupation, family background, religious belief, education, property status, etc.

6 **Freedom of person and inviolability of homes.** The Constitution has guaranteed inviolability of the person and of the home. No one may be arrested except by a court decision or with the sanction of a people's procuratorate. The arrest must be made by a public security organ. Illegal restriction of a citizen's freedom or illegal search of the person of a citizen is prohibited.

No one may, without lawful ground, enter the home against the will of the citizen residing in it.

### *Political rights and freedoms*

All citizens of China, except persons deprived of political rights according to law, have right to vote and to be elected provided they are 18 years old.

Article 35 of the Constitution says: "Citizens of the People's Republic of China enjoy freedom of speech, of the Press, of assembly, of association, of procession and of demonstration". Freedom of speech and expression etc. is constitutionally guaranteed. But the right to strike and the right to "speak out freely, air their views fully, hold great debates and write big character posters" guaranteed by 1978 Constitution have been abolished.

Citizens have the right to criticise and make suggestions to any state organ or official. They can also make to state organs complaints and charges against any State organ or official for violation of the law or dereliction of duty provided the charges are not fabricated or framed up. The State organs must deal with complaints and charges in a responsible manner after ascertaining the facts.

The Constitution declares that no one shall suppress such complaints and charges or retaliate against persons making them. If the citizens suffer losses by any State organs or official they have the right to compensation in accordance with law.

### **Critical Evaluation**

The 1982 Constitution thus guarantees certain basic rights and liberties to the Chinese citizens: economic rights, social rights, political rights and freedoms. According to critics, these **rights are however subject to severe limitations**. The right to work (and the corollary right to receive adequate remuneration) is limited by the fact that China is at the "initial stage of socialism" and fifty per cent of the Chinese economy is market-oriented. To overcome the problem of her huge population in terms of employment, China chose a labour-intensive production system but this has led to under-employment and unremunerative employment and inefficient production. The socialist principle, "From each according to his ability, to each according

to work done", has not yet been fully established.

Secondly, the **constitutional guarantee of political rights and freedoms are extremely limited in theory as well as in practice.** Article 5 of the Constitution says "all public organisations... must abide by the Constitution and the law... No organisation or individual may enjoy the privilege of being above the Constitution and the law." But what happens when the Communist Party and the Government are accused for violating the Constitution and the Party and the Government accuse its critics of "illegal acts"? The answer is given in Article 1 which declares the "socialist system as the basic system of the country" and prohibits "sabotage of the socialist system by any organisation or individual." Article 51 states clearly that the exercise by the citizens of their rights and freedom must not run counter to the interests of the state and society. Who is to judge? Not the judiciary. The Communist Party of China, its Politburo consisting of a dozen plus leaders, is the sole judge of whether a citizen has exercised his freedoms in a way threatening the socialist system. A Chinese citizen is thus limited in advance as to the ends for which he or she may use the freedoms of speech and the press.

Though the present Chinese Constitution nowhere mentions the Communist Party, the Preamble does say that the Chinese citizens must adhere to the "people's democratic dictatorship under the leadership of the Communist Party of China". It follows that the citizens can unite in such public organisations (e.g. trade unions, youth organisations, student associations and other societies) as approved by the Communist Party leadership. Thus the **only organisational life that can exist in China, even in theory, is that which receives party approval.**

Other provisions of the bill of rights are likewise limited. There is the right to work but no right to strike which was guaranteed in 1978 Constitution. And there are a number of constitutional duties. In sum, the Constitution not only specifies the purposes for which rights may be employed but, in addition, insists that the promotion of these purposes (as determined) by the Party leadership is among the primary duties of the Chinese citizens.

The nature of political rights and freedoms enjoyed by the Chinese citizens has been revealed by the employment of the army in crushing the 1989 May-June students movement on Tienanmen Square in Beijing. The Chinese students supported by journalists of official media, intellectuals and even workers were yearning for expansion of democracy—freedom of expression, demonstration, freedom from being imprisoned in officially sponsored organisations and eradication of corruption in high places. The movement was entirely peaceful. There was no violation of the Constitution. What they demanded was that members in "all the state organs and functionaries must rely on the support of the people, keep in close touch with them, heed their opinions and suggestions, accept their supervision..." (Article 27). As their demand went unheeded, they demanded the resignation of Prime Minister

Li Peng and Deng Xiaoping, the "paramount leader". That was the crime, in the opinion of the Government, committed by the students.

They were dubbed as "counter revolutionaries" bent on overthrowing the Communist Party and the socialist system. Ironically, critics point out, it was Deng who was dubbed as "capitalist roader" by the 'red' radicals during the Cultural Revolution. And his "economic policy" pursued by the Government is more capitalist than socialist.

## ***4 Bill of Rights***

Although the Preamble to the American Constitution declares that one of the fundamental objectives of the new society would be to "secure the blessings of liberty" to the American people, the Constitution adopted in 1778 did not include any specific guarantee of the basic freedoms of the American citizens. These freedoms were guaranteed by adding ten amendments to the Constitution in 1791. These ten amendments are known as the Bill of Rights. They constitute the bedrock of civil liberties as Americans call them today : democratic freedoms, personal freedoms and the right of the accused. The original Bill of Rights declared that the national government could not deprive citizens of certain rights for freedoms. But it did not apply against State governments. However, since 1920s the Supreme Court by interpreting "due process of law" clause of the Fourteenth Amendment has held that several guarantees of the Bill of rights are also applicable against

actions of State and local governments. While these rights are subject to judicial interpretation and application as circumstance and courts change, they have been through the years, and are today, effective restraints on how governments treat individuals.

### 1 Democratic Freedoms

Certain freedoms are essential to the proper functioning of a democratic polity : the freedom of speech and the press, the right to petition the government and to peaceful assembly, and the freedom of association and dissent. These freedoms come from the Bill of Rights, particularly the First Amendment which states that "Congress shall make no law" to establish a state religion or prohibit the free exercise of religion, abridge the freedom of speech or of the press, or the right of the people to assemble peaceably, and to petition the government for redress of grievances.

1 **Freedom of speech and of the press.** In the United States free speech is a **first freedom**. But it is only a partial right for the Americans cannot say whatever they please. The government has the power and duty to maintain public order. But neither governmental power nor individual right is absolute. The balance must be struck between the two. It is the Supreme Court which does it. The Supreme Court has interpreted that wording of the First Amendment—Congress can make no laws restricting the freedom of speech—to mean that Congress (and state legislatures) can make laws restricting this freedom so long as they follow certain strict rules for balancing individual right and social order. Two standards have been used by the Court in recent years for determining the limits of speech : dangerous and scandalous.

Freedom of press is likewise subject to the same general rules of law. Prior censorship (e.g. withholding of news and information, limiting use of the mails, and requiring official approval or clearance) is severely limited. But the press cannot write anything as they please. Likewise, government cannot stop a newspaper from publishing an information which has been classified as 'secret'—as decided by the Supreme Court in the *Pentagon papers case*.

Freedom of the press which applies to radio and TV stations as well as to newspapers, however, does not mean that Americans have equal access to the press. Critics complain that freedom of the press means "freedom for the press", freedom for those who own the press. An individual has no enforceable right of general access to the radio and TV stations to discuss an issue of national importance: he has less right of access to the print media. This, according to critics, is nothing but "private censorship" of the flow of ideas which violates the spirit of the First Amendment as much as does state censorship.

**2 Freedom of assembly and petition.** The Americans have the constitutional right to assemble peaceably to discuss political questions, and to petition the government for redress of grievances. But freedom of petition and assembly generally does not include the right to use private property without the owner's consent. Also demonstrators cannot take over public streets or public buildings and prevent people from using them without securing governmental permission. State and local governments can reasonably regulate the time and place of parades. No one has a right to incite riots or use force or violence against people or property.

The courts however look carefully at regulations or police action that limit the right to assemble peaceably in public places and are unwilling to sanction regulations that authorise authorities wide discretionary power. For example, in *Edwards v. South Carolina* (1963) the Supreme Court reversed the conviction of 187 Negro students who held a mass meeting in front of the South Carolina State House to protest denial of their civil rights. The Court pointed out that the students had done no more than exercise their constitutional rights of assembly and petition. As long as the students had demonstrated peacefully and had not caused a major traffic obstruction, they could not be punished. Again in *Coates v. Cincinnati* (1971) the Supreme Court held unconstitutional a law which made it a crime for three or more persons to gather on a sidewalk and annoy passersby. Such a law left too much discretion to the police officer, the Court observed.

However, the Supreme Court has been confronted on many occasions by a complicated problem to decide where does peaceful petitioning and assembly ends and unlawful assembly and disorder begins. The many five-to-four decisions of the Supreme Court leaves some uncertainty. In addition, there is always the threat that law and police officials will come down heavily on the side of the order, as they did when the Nixon administration had illegally ordered the arrest of thousands of anti-Vietnam war demonstrators in Washington D. C. in 1970. The Court cannot police the nation. It can outline but cannot secure constitutional rights unless its decisions are backed by the dominant political views and values and forces of the nation.

**3 Freedom of association and dissent.** The Constitution does not specially guarantee the freedom to differ or dissent from the established or popular view, and freedom to organise and associate with others to advocate one's beliefs and ideas. But these freedoms have been held by the Supreme ones. Despite these avowed principles, the national government has made many attempts to suppress unpopular ideas, particularly communist ideas; of these three stand out as the most important : Smith Act (1940), McCarran Act (1950) and Communist Control Act (1954). In some cases the Supreme Court upheld the constitutionality of these Acts, while in others it

has ruled that anti-subversive laws violated constitutionally guaranteed rights. The 'mood' of the country has played some part in the Court's decision at any given time.

## 2 Personal Freedoms

American citizens have the right to freedom of religion, the right to own private property, and freedom from arbitrary arrest and imprisonment. These rights are grounded in the Bill of Rights and in judicial interpretation of the ten amendments.

**1 Freedom of religion.** The first Amendment forbids Congress to establish a state religion or to legislate against the free exercise of religion. The "establishment of religion" clause means, as the Supreme Court in *Everson v. Board of Education* (1947) held, that government laws and acts must be for secular, non-religious purpose, they must neither promote religion nor restrict religion, and they must not actively involve or entangle government in religious activity. However the wall of separation between church and state is permeated with holes, most of which are approved by the Supreme Court (e.g. government financial aid to church-related schools, Sunday closing laws). But the Court has declared unconstitutional the release of children from public schools for optional religious study on school premises, official prayers, and prescribed reading of the Bible in public schools.

The right to free exercise of religion is also not absolute. Because overt behaviour is involved, legal regulation is justified. No religious belief can, for example, be made to justify polygamous practice in the country.

**2 Right to property.** The Fifth Amendment forbids Congress to deprive a person of his life, liberty, and property without "due process of law" and to take away private property for public use without just compensation. Federal and state government have the power of "eminent domain", i.e., the power to take private property for public use. But this power must be exercised, as the Supreme Court held, for a reasonable and necessary purpose and the government must follow fair procedures (or "due process").

**3 Freedom from arbitrary arrest and detention.** The Fourth Amendment specifically guarantees the inviolability of an individual home and the right against unreasonable searches and seizures of their papers and effects. Generally, a search warrant (specifying the place to be searched and the articles to be seized) must be obtained from a magistrate or judge before a search can be conducted. In several cases however the Court held that the police do not need a warrant :

- (i) to stop and frisk a person believed to be armed and dangerous;
- (ii) to search a person's automobile if police have probable cause to

believe that it contains evidence of crimes, or are being used to commit crimes.

(iii) to search a person's home or hotel room under "exigent circumstances"—situations in which police have reason to believe that a crime has been committed and the evidence will be destroyed or removed if time is taken to get a warrant.

Yet the Federal Bureau of Investigation (FBI) and Central Intelligence Agency (CIA) engaged in illegal searches and seizures without warrants.

The Fourth Amendment prohibits unlawful arrest. But an arrest can be made with or without a warrant and can always be made when a policeman actually sees a crime being committed. In fact, most arrests are made without a warrant. But the accused person has certain rights, procedural protections, that limit the police and the prosecution (e.g. the writ of habeas corpus, jury trial). The victim of an illegal arrest may also secure damages.

### **Conclusion**

To conclude, the Bill of Rights is a blue print for civil liberties. However, it took about two centuries to guarantee all Americans, and specially Negroes, their civil rights.