1. **Rand states that “A social environment is most conducive to their [man’s] successful survival – *but only on certain conditions*…” What are those conditions?**
2. **What is required if man is to live in peace?**
3. **What would happen if society did not enforce the conditions of the individual rights to be free from the coercion of others**
4. **Rand states the following: page 331, 1: “*A government is the means of placing the* *retaliatory use of physical force under objective control”* What does this imply?**
5. **What is a source of government’s authority?**
6. **And what does this imply?**
7. **Does the role of government grow or decline as society becomes increasingly complex?**
8. **What are the three proper functions of government?**
9. **What does Rand think of anarchy?**
10. **How long as men understood what rain consider to be the correct conception of government?**
11. **What is the purpose of the Constitution?**

**The U.S. Constitution**

The Preamble to the Bill of Rights:

*Congress of the United States begun and held at the City of New-York, on Wednesday the fourth of March, one thousand seven hundred and eighty nine.*

*THE Conventions of a number of the States, having at the time of their adopting the Constitution, expressed a desire, in order to prevent misconstruction or abuse of its powers, that further declaratory and restrictive clauses should be added: And as extending the ground of public confidence in the Government, will best ensure the beneficent ends of its institution.*

*RESOLVED by the Senate and House of Representatives of the United States of America, in Congress assembled, two thirds of both Houses concurring, that the following Articles be proposed to the Legislatures of the several States, as amendments to the Constitution of the United States, all, or any of which Articles, when ratified by three fourths of the said Legislatures, to be valid to all intents and purposes, as part of the said Constitution; viz.*

*ARTICLES in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the Legislatures of the several States, pursuant to the fifth Article of the original Constitution.*[[46]](http://en.wikipedia.org/wiki/United_States_Bill_of_Rights#cite_note-45)

**The Bill of Rights**

**What was the primary controversy involving the inclusion of a Bill of Rights as part of the Constitution and how does that relate to Amendments 9 and 10?**

* [First Amendment](http://en.wikipedia.org/wiki/First_Amendment_to_the_United_States_Constitution) – [Establishment Clause](http://en.wikipedia.org/wiki/Establishment_Clause_of_the_First_Amendment), [Free Exercise Clause](http://en.wikipedia.org/wiki/Free_Exercise_Clause_of_the_First_Amendment); [freedom of speech](http://en.wikipedia.org/wiki/Freedom_of_speech), of the [press](http://en.wikipedia.org/wiki/Freedom_of_the_press), and of [assembly](http://en.wikipedia.org/wiki/Freedom_of_assembly); [right to petition](http://en.wikipedia.org/wiki/Right_to_petition_in_the_United_States)

*Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.*

* [Second Amendment](http://en.wikipedia.org/wiki/Second_Amendment_to_the_United_States_Constitution) – [Right to keep and bear arms](http://en.wikipedia.org/wiki/Right_to_arms).

*A well regulated Militia being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.*

* [Third Amendment](http://en.wikipedia.org/wiki/Third_Amendment_to_the_United_States_Constitution) – Protection from [quartering](http://en.wikipedia.org/wiki/Quartering_Act) of troops.

*No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.*

* [Fourth Amendment](http://en.wikipedia.org/wiki/Fourth_Amendment_to_the_United_States_Constitution) – Protection from unreasonable [search and seizure](http://en.wikipedia.org/wiki/Search_and_seizure).

*The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no* [*Warrants*](http://en.wikipedia.org/wiki/Warrant_%28law%29) *shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.*

* [Fifth Amendment](http://en.wikipedia.org/wiki/Fifth_Amendment_to_the_United_States_Constitution) – [due process](http://en.wikipedia.org/wiki/Due_process), [double jeopardy](http://en.wikipedia.org/wiki/Double_jeopardy), [self-incrimination](http://en.wikipedia.org/wiki/Self-incrimination), [eminent domain](http://en.wikipedia.org/wiki/Eminent_domain).

*No person shall be held to answer for any capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.*

* [Sixth Amendment](http://en.wikipedia.org/wiki/Sixth_Amendment_to_the_United_States_Constitution) – [Trial by jury](http://en.wikipedia.org/wiki/Trial_by_jury) and [rights of the accused](http://en.wikipedia.org/wiki/Rights_of_the_accused); [Confrontation Clause](http://en.wikipedia.org/wiki/Confrontation_Clause), [speedy trial](http://en.wikipedia.org/wiki/Speedy_trial), [public trial](http://en.wikipedia.org/wiki/Public_trial), [right to counsel](http://en.wikipedia.org/wiki/Right_to_counsel)

*In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district where in the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense.*

* [Seventh Amendment](http://en.wikipedia.org/wiki/Seventh_Amendment_to_the_United_States_Constitution) – [Civil](http://en.wikipedia.org/wiki/Civil_law_%28common_law%29) trial by jury.

*In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examined in any court of the United States, than according to the rules of the common law.*

* [Eighth Amendment](http://en.wikipedia.org/wiki/Eighth_Amendment_to_the_United_States_Constitution) – Prohibition of [excessive bail](http://en.wikipedia.org/wiki/Excessive_bail) and [cruel and unusual punishment](http://en.wikipedia.org/wiki/Cruel_and_unusual_punishment).

*Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.*

* [Ninth Amendment](http://en.wikipedia.org/wiki/Ninth_Amendment_to_the_United_States_Constitution) – Protection of rights not specifically enumerated in the Bill of Rights.

*The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.*

* [Tenth Amendment](http://en.wikipedia.org/wiki/Tenth_Amendment_to_the_United_States_Constitution) – Powers of states and people.

*The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.*