

THE PERIODIC TABLE OF THE PRESIDENTS™

The Fifth Amendment

Introduction:

The focus of the Fifth Amendment is “due process of law.” This phrase means that the government and courts must act fairly by following rules and established procedures. In essence, this amendment protects the accused from harassment by both the government and the court system.

The text of this amendment reads, “No person shall be held to answer for a 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.”

Questions:

1. What right is protected under the Fifth Amendment?
2. What year was the Fifth Amendment ratified?
3. What does a grand jury decide?
4. What is “double jeopardy”?
5. What does it mean to “Plead the Fifth”? (See Clause Three.)
6. What does “due process” mean?
7. When can the government take someone’s private property?
8. What was the ruling in *Miranda v. Arizona* (1967)?
9. According to the Miranda warning, what two main rights does an accused person have?
10. What do you think, “...nor be deprived of life, liberty, or property, without due process of law,” means?