



Let's Study the Constitution, Part 7

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The Third Amendment [reads](#), *“No soldier shall, in time of peace, be quartered in any house without the consent of the owner, nor in time of war except in a manner prescribed by law.”*

This Amendment, introduced by James Madison, was important to the Framers because of the callous way the British troops would confiscate and loot personal residences during the Revolutionary war through Britain’s Quartering Acts.

In [The Making of America](#) by W. Cleon Skousen, he writes how quartering of troops was among the “long train of abuses and usurpations” of King George listed in the [Declaration of Independence](#). Homeowners were required at the time to provide the enemy troops with fire, candles, vinegar and salt, bedding, utensils, and other supplies, without ever receiving any kind of compensation. This had been a common practice of war in Europe. Quartering of troops was considered worse than a plague because the soldiers were notorious for ravishing the women, destroying the furniture and property, and abusing the owners. They would often destroy or take the crops when they departed to keep them out of the hands of the other side.

This barbaric practice often left the homeowner with nothing. If the home was burned, there was no place to live, no clothes to wear, no precious heirlooms saved over generations, no treasure remaining to use as capital for rebuilding. Hence, the Framers hastened to write an amendment to protect families and property from the military.

This Amendment has not come into play in many decades, but it is there to ensure personal safety, protect our privacy, and property rights. It is the only part of the Constitution that deals directly with the relationship between the rights of individuals and the military, both in peace and in war.

The Fourth Amendment [says](#), *“The right of the people to be secure in their persons, houses, papers, and effects against unreasonable search and seizures shall not be violated, and no warrants shall issue but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched and persons or things to be seized.”*

The Fourth amendment is related to the Third Amendment in that it protects unjustified violations of privacy and property. It is easy to see how outraged the Framers were about the violation of their natural right to be free from invasion of their person and their private property, and get a sense of the damage done by arrogant British troops.

In studying the Framers, a pattern emerges as to the importance of the protection of individual rights. The entire Constitution's focus is on limiting the power of the federal government and protecting the natural rights, liberty, and property of each individual American. Many of the Founders and Framers gained their understanding of the "[life, liberty, and property](#)" philosophy and basic principles of liberty referred to in the Declaration by studying [Dr. John Locke's](#) work.

Unfortunately, the shameless disregard for the Fourth Amendment is currently on display for all to see as our government takes greater and broader liberties.

For example, the collection of direct taxes, through invasion of homes, businesses and bank accounts, is impossible without virtually wiping out the guarantees set forth in the Fourth Amendment.

In recent years, a multitude of cases involving one of the alphabet-agencies of the Federal government, like the BLM and USFS, have resulted in confiscated ranches, homes, water rights, mining, and other income-generating enterprises with no legal basis. What about the illegal searches and seizures by the TSA that occur against Americans thousands of times a day in airports across the nation?

The biggest challenge ahead in preserving the Fourth Amendment is how to protect individual rights and privacy in the age of the Internet. What limits does the Fourth Amendment impose on the government collecting and manipulating our personal information? What about the NSA, which monitors our phone conversations and emails? How will we see this play out in the courts?

It is vital for all Americans to understand their natural rights protected by our Constitution. Historically, public outcry against unconstitutional, unreasonable, or even unpopular policy has proven an effective conduit for change of erroneous policy.

The Fifth 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."*

The Fifth Amendment provisions protect individuals from unfounded legal charges and from their personal property being confiscated. It insists on the “letter of the law” to screen the facts and compel prosecutors to specify charges against an individual. It demands that there be sufficient evidence before moving forward with a warrant and court proceeding. In addition, the Fifth Amendment protects an individual from being compelled to testify against him or herself or be tried twice for a capital crime.

The Constitution is all about the People’s protection FROM government; protection of the individual, their [natural rights](#) and personal property.

Edward Erler in the Hillsdale College publication, *Imprimis* [writes](#), “If there are to be limits to the reach of the burgeoning administrative state, they will be political limits imposed by the people in the ordinary course of partisan politics. The advent of the administrative state poses the greatest challenge to limited government, because it elevates the welfare of the community – whether real or imagined – over the rights and liberties of individuals. The task today is to confine the federal government to its delegated powers.”

For a valuable resource in your study of the Constitution, go to constitutioncenter.org

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