**LAW CLASS**

**The Ninth Amendment**

The Ninth Amendment states:

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

Vocabulary

Enumeration: ordered list

Construed: interpret the meaning of something

Deny: not permit

Disparage: take away

Retained: kept by

**A Guide to the Ninth Amendment**

The Ninth Amendment was part of the Bill of Rights that was added to the Constitution on December 15, 1791. It says that all the rights not listed in the Constitution belong to the people, not the government. In other words, the rights of the people are not limited to just the rights listed in the Constitution.

**Understanding the Fifth Amendment Line by Line**

The wording used in the Ninth Amendment can be confusing. Let's go through a few of the phrases:

"enumeration in the Constitution, of certain rights" - The word "enumeration" means an ordered or numbered list. They are referring to a "list of rights" in the Constitution.

"shall not be construed" - The word "construed" means to "interpret the meaning of something". So this means something like "don't take this to mean."

"deny or disparage others retained by the people" - This means that the government can't take away (deny or disparage) other rights of the people.

If you put this together you get:

Just because there is a list of rights in the Constitution, it doesn't mean that the government can take away other rights of the people that are not listed.

This isn't meant to be a legal definition, just something to help you understand the general meaning of the amendment.

What are some "other rights"?

The Ninth Amendment never lists exactly what rights are "retained by the people." That's sort of the whole point of the amendment. Different people have different ideas as to what these rights may be. Can you think of some "rights" you think are still held by the people?

Here are a few examples:

* The right to eat junk food
* The right to a job
* The right to dye your hair green
* The right to clean drinking water
* The Right to Privacy

It turns out that the Supreme Court decided that the Ninth Amendment protected the right to privacy within a marriage in the case of Griswold v. Connecticut.

Interesting Facts about the Ninth Amendment

* This amendment is sometimes used to stop the government from expanding its powers beyond those listed in the Constitution.
* The Ninth Amendment was cited by the Supreme Court in the famous Roe v. Wade case.
* Some judges have said that this amendment is not a source of additional rights, but simply a rule about how to read the Constitution.

Questions to Consider:

1. Why do you think the founding fathers put in an amendment that said there were many more rights retained by the people that were not listed in the Constitution?
2. What rights do you think people have that are NOT mentioned in the Constitution?