

The Seventh Amendment of the United State Constitution declares, "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, then according to the rules of the common law." To understand the importance of this Amendment, we must begin by looking back to the origins of jury trials.

Civil juries were established in England, even before criminal juries. Since the middle ages, the English had used juries of persons not trained in law to decide certain civil cases. The concept of establishing a right to jury trials in civil cases in the United States was brought up during the Constitutional Convention by Mr. Hugh Williamson of North Carolina. Williamson and other founding fathers were tired of receiving unfair trials at the hands of the English government, so they implemented the right to a jury trial as a safeguard for American citizens from the U.S. government.

There are two parts, or clauses, that make up the Seventh Amendment. The first of which is the Preservation Clause, which states, "In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved." The purpose of this is to establish which types of cases that parties may request a jury trial. The second clause, known as the Re-Examination Clause, states, "No fact tried by a jury, shall be otherwise re-examined in any Court of the United States, then according to the rules of the common law." The purpose of this clause is to prevent judges from overturning jury verdicts and handing down unfair judgments to a party just because that is the wish of the government.

When the Bill of Rights was written, they only applied to the federal government. Over time, that has changed, and all states have forced to adopt most of the rights enumerated in the Bill of Rights. However, the Court has not required states to have the right to civil jury trials.

Even though they have not been forced, nearly all states have rights to civil jury trial in certain cases in their state constitutions.

Overall, the Seventh Amendment is a pillar of our judicial system. Without it, judges, therefore the government, would have complete control over civil legal disputes. Control like this could lead to an abuse of power and would allow the same type of behavior that the founding fathers sought to prevent. The beauty of this right, like the rest of the rights enumerated in the Bill of Rights, is that we, as American citizens, may use them at our discretion. We can choose whether we wish to present our case in front of a judge or a jury. This choice is one of the great parts of being an American and demonstrates the ideology that we get to enjoy. Freedom.