

After several failed attempts at creating a government, a 1787 convention is called to draft a new legal system for the United States. This new Constitution provides for increased federal authority while still protecting the basic rights of its citizens.

1. Why was the Bill of Rights added?

Why was the Bill of Rights tacked onto the Constitution just three years after its ratification in June 1788? Essentially, anti-Federalist delegates objected to the proposed draft, arguing that it provided a framework for a new centralized government but failed to safeguard individual liberties and states' rights. They finally agreed to ratify the Constitution on the condition that Congress amend the document to include these protections.

2. Learn from the Virginia Declaration

While drafting the Bill of Rights, James Madison drew heavily on the Virginia Declaration of Rights, written by George Mason and ratified shortly before the Constitution of Virginia in June 1776. Considered the first constitutional protection of individual rights, it also provided a blueprint for the U.S. Declaration of Independence and France's Declaration of the Rights of Man and of the Citizen.

3. Did the defeated British help create?

Since America's founding fathers had just spent years fighting for independence from Britain, it might seem ironic that an English law—the Bill of Rights of 1689—served as another inspiration for the U.S. Bill of Rights. The two documents share a number of guarantees, including the right to petition and protection against “cruel and unusual punishments.”

4. Madison - “Father of the Constitution”

James Madison was an unlikely author of the proposed amendments that eventually became the Bill of Rights. He initially argued that the Constitution itself sufficiently restricted the federal government and that Americans inherently enjoyed natural rights even in the absence of laws ensuring them. Madison's mentor Thomas Jefferson, who was then serving as ambassador to France, helped convince him of their necessity in 1789.

5. Who wasn't covered by the Bill of Rights?

Despite its seemingly inclusive wording, the Bill of Rights did not apply to all Americans—and it would not for more than 130 years. At the time of adoption in 1791, the “people” referenced in the amendments were understood to be land-owning white men only.

Blacks only received equal protection under the law in 1868, and even then it was purely on paper. Women could not vote in all states before 1920, and Native Americans did not achieve full citizenship until 1924.

6. 12 Amendments to the Bill of Rights?

The original Bill of Rights included 12 amendments (from 15 proposed), but only 10 became law in 1791. One of the omitted articles, which deals with the size of electoral districts, has yet to be ratified. The other, which prohibits pay raises for Congress members until the next election takes place, was ratified in 1992 as the 27th Amendment.

7. Who has copies of the Bill of Rights?

George Washington commissioned 14 handwritten copies of the Bill of Rights—one for each of the original 13 colonies and one for Congress. Twelve of the originals survive to this day. North Carolina's copy disappeared during the Civil War when a Union soldier took it home as a souvenir; it resurfaced in 2003 thanks to the efforts of an undercover FBI agent.

8. Bill of Rights Day

One hundred fifty years after the Bill of Rights became law, President Franklin D. Roosevelt called on the American people to observe December 15 as Bill of Rights Day. Just days after he made his speech, the Japanese attacked Pearl Harbor and celebrations were canceled. Though relatively obscure, it remains a federal holiday.

REVIEW QUESTIONS

TRUE OR FALSE? Write a *T* or *F* in the space provided.

- ___ 1. The Constitution was ratified in 1787.
- ___ 2. The Bill of Rights was implemented when the Constitution was ratified.
- ___ 3. James Madison wrote the Virginia Declaration of Rights.
- ___ 4. When the British won the American Revolution they implemented their own Bill of Rights.
- ___ 5. James Madison is considered the “Father of the Constitution.”
- ___ 6. The Bill of Rights were adopted in 1791.
- ___ 7. Native Americans had full coverage under the Bill of Rights when adopted.
- ___ 8. Bill of Rights Day is the same time as Constitution Day.

Answers: 1-T, 2-F, 3-F, 4-F, 5-T, 6-T, 7-F, 8-F