



Revolutionary Times



Containing the Latest News from the Sons of the American Revolution

Bill of Rights

In early 1787, Virginia Congressman James Madison was preparing for the Constitutional Convention.

He wrote an essay entitled “Vices of the Political System,” detailing the flaws of the Articles of Confederation.

One of the main problems with the Articles, in Madison’s view, was that tyrannical majorities in the states passed unjust laws violating the rights of numerical minorities.

He had seen the oppression of religious dissenters in Virginia and became the leading advocate for the Virginia Statute for Religious Freedom.

But injustice was occurring in all the states.

On September 12, 1787, during the last days of the Constitutional Convention, fellow Virginia delegate George Mason rose and proposed a bill of rights, a list of rights belonging to the people that government could not violate.

The delegates were wrapping up their business and worried that a prolonged debate on a bill of rights could endanger the success of their project.

Roger Sherman of Connecticut also reassured the convention that the states had their own bills of rights and so had no need for a national bill of rights. The convention unanimously rejected Mason’s idea.

Madison became the champion for a bill of rights in the First Congress, but the idea met a hostile reception.

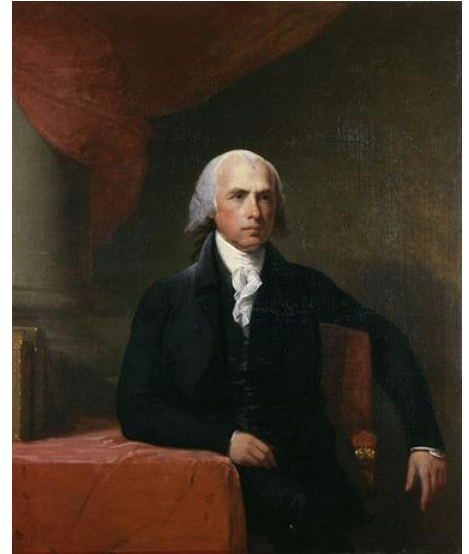
Most representatives and senators thought Congress had more important work to do setting up the new government or passing tax bills for revenue.

On June 8, 1789, Madison rose on the floor of the House to deliver a speech in favor of a bill of rights.

His arguments were founded on the goal of a harmonious political order and the ideals of justice.

The Bill of Rights sets rules for due process of law and reserves all powers not delegated to the Federal Government to the people or the States.

And it specifies that “the enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.”



In the end, the states approved 10 of the 12 amendments in December 1791.

One of two amendments rejected by the states was eventually ratified in 1992 as the 27th Amendment; it restricted the ability of Congress to change the pay of a sitting Congress while in session.

(The other proposed amendment not ratified dealt with the number of representatives in Congress, based on the 1789 population.)

This broadsheet is dedicated to the 250th Anniversary Celebration of the Declaration of Independence for more information visit the National Society Sons of the American Revolution website at: www.sar.org

Presented by: The Hawaii Society Sons of the American Revolution

<https://hawaiisar.org/>
<https://bit.ly/423qh48>

For more:

A Bill of Rights

as provided in the Ten Original Amendments to

The Constitution of the United States

in force December 15, 1791.

Article I

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

Article II

A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

Article III

No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Article IV

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches 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 the persons or things to be seized.

Article V

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.

Article VI

In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining Witnesses in his favor, and to have the Assistance of Counsel for his defence.

Article VII

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, than according to the rules of the common law.

Article VIII

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

Article IX

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

Article X

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

