In 1787, the Constitution was ratified but there was a sense that something was missing. The Constitution was written to establish a strong federal government. It told what the government could do but not what it couldn’t do. Colonist were skeptical of the government, a mistrust came from the experiences suffered under England’s rule. It was clear that a bill of rights was needed. A bill of rights was proposed by delegate Charles Pinckney on August 20, 1787 but was not adopted by the Committee on Detail. The topic was revisited on September 12, 1787 but was again rejected. Thomas Jefferson argued, “A bill of rights is what the people are entitled to against every government on earth, general or particular, and what no just government should refuse, or rest on inference.” James Madison took on the task of drafting The Bill of Rights.

Madison looked to George Mason when drafting The Bill of Rights. Mason, a lifelong champion of individual liberties, drafted the Virginia Declaration of Rights and a large part of Virginia’s State Constitution. He was an extremely vocal member of the Constitutional Convention and expressed concern that a guarantee of individual liberties was not incorporated into the Constitution. Because of these concerns, he elected not to sign the Constitution.

James Madison presented seventeen amendments to the United States House of Representatives. Twelve were passed by Congress and sent to the states. By December 15, 1791, four years after the signing of the Constitution, ten articles were ratified and became known as The Bill of Rights. The Bill of Rights was in place but who would interpret the language in specific situations? Thomas Jefferson and James Madison thought an independent court should have this power. The issue would not be resolved until 1803 when for the first time, the U.S. Supreme Court struck down an act of Congress as unconstitutional. This decision established that the Supreme Court had the power to nullify acts of Congress that violated the Constitution. With these powers in place, the Supreme Court would not be called upon to protect individual rights for more than a century. With racial segregation legal, sex discrimination firmly institutionalized and minority religions persecuted for their beliefs, the Supreme Court had yet by 1920, to strike down any law or governmental action on the grounds of the First Amendment. Many whose rights were violated, were unaware of possible solutions or had no access to the courts and unable to afford a lawyer. Progress was made between 1954 and 1973 when many rights became enforceable with help from groups like the ACLU and NAACP who came together to challenge constitutional violations.

Our Constitution may not be edited and it is the same today as the day it was signed. The amendments are the living documents that change with the interpretation of the Supreme Court and our changing country.
To commemorate the 150th anniversary of The Bill of Rights, President Franklin D. Roosevelt declared December 15th Bill of Rights Day. Each state in the Union has a state constitution and a bill of rights or declaration of rights. Many wonder if a state bill of rights is necessary. Shouldn’t the Federal Bill of Rights be enough? Just as the Federal Bill of Rights gives individuals protection against injustice by the federal government, the state’s bill of rights provides protection against abuses by the state government. Many sections to a state’s bill of rights are similar to the Federal Bill of Rights but, states have the ability to be more specific in their bill of rights than the federal government. The states can extend basic rights or include rights that are important to their state.

Illinois used the Federal Bill of Rights as a model for the state’s bill of rights. The Bill of Rights is found in the First Amendment to the Illinois Constitution and there are 24 sections in the Illinois Bill of Rights. Many sections are similar to the U.S. Constitution amendments such as due process, religious freedom and freedom of speech. Other sections are individual to the state or are expanded upon. The Sixth Section resembles the Fourth Amendment of the U.S. Constitution but is more precisely defined. The Fourth Amendment implies the right to privacy while the Illinois Constitution clearly identifies that right. In Illinois’ 1970 Constitution, the guarantee against the invasion of privacy and eavesdropping were added.

The Eighth Section addresses due process and rights after indictment. This section was amended in 1994 to give Illinois citizens the same right as the U.S. Bill of Rights to confront witnesses. In 1992, section 8.1 was added to Illinois’ Bill of Rights supporting victims of criminal cases. These rights include: being treated with dignity and respect, being notified of court proceedings, the right to be present at court hearings, and to make a statement at the time of sentencing, victims are protected from the accused during court procedures and have the right to restitution. Prisoner’s rights are addressed in Section Eleven, stating that the goal of the criminal justice system should be returning the offender as a useful part of society. Rehabilitating the offender is more important than punishment. The death penalty was a controversial issue of the 1970 Illinois Constitution. Voters in Illinois chose to keep the death penalty by a vote of two to one. On July 1, 2011, Governor Pat Quinn signed legislation abolishing the death penalty in Illinois.

Discrimination is the focus of Section Seventeen, Eighteen and Nineteen. Section Seventeen deals with concerns of discrimination of employment or rental or sale of property due to race, religion, origins or sex. Discrimination by the government on the basis of sex is Section Eighteen and Section Nineteen covers discrimination against handicapped individuals. The Illinois Constitution has three other rights mentioned outside of the Bill of Rights, the right to vote, the right to an education and the right to a healthy environment. Both federal and state constitutions protect fundamental rights but it is up to the people to be persistent in protecting their rights.

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**PLACES TO GO & PRIMARY SOURCES TO SEE**

**Madison County Courthouse**
(excerpt from the Edwardsville Intelligencer [http://www.theintelligencer.com/local_news/article_cac39a08-65f5-11e0-9832-001cc4c03286.html])

Visiting the Madison County Courthouse in Edwardsville, Illinois you will be greeted by a life-size bronze statue of President James Madison holding in his hand The Bill of Rights. He is known as the “Father of the Constitution” and he wrote The Bill of Rights but Madison has a local connection to Illinois. While he was president, Madison appointed Ninian Edwards Governor of the Illinois territory and appointed Edward Coles as register of the Land Office in Edwardsville. Coles served as Madison’s private secretary from 1809 to 1815. Each of these men have been honored in Illinois with the city of Edwardsville being named after Ninian Edwards, Madison County named after President Madison and Coles County is named after Edward Coles.
No new amendments were added to the Constitution during the Civil War. It would be 62 years between the Twelfth and Thirteenth Amendments. This is the longest period in history where the Constitution remained unchanged. After the Civil War three important amendments were ratified, these are called the Civil War amendments or reconstruction amendments.

When creating the Constitution, the Constitutional Convention was unable to solve all issues. One of these issues was slavery, as slave trade was permitted through 1808. The practice of slavery was legal, even though many considered it an abomination. The inability to resolve this issue by delegates of the Constitutional Convention eventually led America into a bloody civil war. The Thirteenth Amendment states, “Neither slavery nor involuntary servitude, except as a punishment for crime where of the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.” The Thirteenth Amendment abolishing slavery passed the Senate on April 8, 1864 and the House on January 31, 1865. President Lincoln sent it to the states for ratification on February 1, 1865 and the necessary number of states ratified the amendment by December 6, 1865. This amendment was presented at the end of the Civil War, when the Confederacy had not yet been restored to the Union. It should have easily passed Congress. As the House took more and more time, President Lincoln became involved insisting that the Thirteenth Amendment be added to the Republican Party platform for the upcoming presidential election. This strategy was successful, the House passed the bill by a vote of 119 to 56.

“All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty or property without due process of law; nor deny to any person which in its jurisdiction the equal protection of the law”, this is Section One of the Fourteenth Amendment. Ratified on July 9, 1868, this amendment granted citizenship to “all persons born or naturalized in the United States”, including former slaves. This amendment expanded the rights to all Americans and is cited in more litigation than any other amendment. The author of Section One in the Fourteenth Amendment was Congressman John A. Bingham from Ohio. Bingham was a life long supporter of human rights and fought against slavery even before he entered Congress. He was the driving force behind the Fourteenth Amendment, refusing to accept defeat and doing everything in his power to see this amendment passed.

With freedom and citizenship already secured in the Constitution the next step would be the right every other free male was entitled to, the right to vote. The Fifteenth Amendment, Section One states, “The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of race, color, or previous condition of servitude.” This amendment was ratified on February 3, 1870. Just because the amendment was ratified doesn’t mean the law was enforced. It would be nearly a century before the Fifteenth Amendment was fully realized. These freedoms for African-American citizens started with great promise and some success, African-Americans held office in some southern states through the 1880s. The 1890s brought change, new requirements to vote began to emerge. The “grandfather clause” excluded anyone whose ancestors had not voted in the 1860s. Literacy tests became a requirement to be able to vote. These devises to keep the vote from African-American men were written into the constitutions of former Confederate states. The Fifteenth Amendment would not be fully enacted until the Voting Rights Act of 1965, extended in 1970, 1975 and 1982, took effect abolishing all remaining obstacles for African Americans to exercise their vote.
The Teacher’s Page
The Library of Congress offers classroom materials and professional development to help teachers effectively use primary sources from the Library’s vast digital collections in their teaching. http://www.loc.gov/teachers

Primary Source Set
Sets of selected primary sources on specific topics, available as easy-to-print PDF’s. Also, background information, teaching ideas, and tools to guide student analysis. http://www.loc.gov/teachers/classroommaterials/primarysourcesets

The Constitution
http://www.loc.gov/teachers/classroommaterials/primarysourcesets/constitution/ Newspaper articles, notes, and original documents trace the process of drafting and adopting the Constitution and Bill of Rights. Speeches and song lyrics show how later generations used and interpreted the original ideals of the United States.

Presentations and Activities
Presentations and Activities offer media-rich historical context or interactive opportunities for exploration to both teachers and students. http://www.loc.gov/teachers/classroommaterials/presentationsandactivities

American Memory Timeline: Debates in the Convention of the State of Pennsylvania
Excerpts taken from the constitutional debate held in the state of Pennsylvania are found in this collection. The excerpts focuses on whether the Constitution needed to include a bill of rights.

Lesson Plans
Teacher created lesson plans using Library of Congress primary sources. www.loc.gov/teachers/classroommaterials/lessons

Bill of Rights: Debating the Amendments
In this lesson, students will examine a copy of twelve possible amendments to the United States Constitution as originally sent to the states for their ratification in September of 1789. Students will debate and vote on which of these amendments they would ratify and compare their resulting “Bill of Rights” to the ten amendments ratified by ten states that have since been known by this name.

The U.S. Constitution: Continuity and Change in the Governing of the United States
http://www.loc.gov/teachers/classroommaterials/lessons/continuity-change/
This unit includes four lessons using primary sources to examine continuity and change in the governing of the United States. Lessons one and two are focused on a study of the Constitution and Bill of Rights and provide access to primary source documents from the Library of Congress. Lesson three investigates important issues which confronted the first Congress and has students examine current congressional debate over similar issues. Lesson four features broadsides from the Continental Congress calling for special days of thanksgiving and remembrance.

Collection Connections

A Century of Lawmaking for a New Nation: U.S. Congressional Documents and Debates, 1774-1873
http://www.loc.gov/teachers/classroommaterials/connections/lawmaking/index.html This collection presents the legislative debates that shaped our nation. These documents record the progression toward Revolutionary War, the drafting of the Constitution and the creation of national political institutions.

Documents from the Continental Congress and the Constitutional Convention, 1774-1789
Meet Amazing Americans

Discover the inventors, politicians, performers, activists and other everyday people who made this country what it is today. http://www.americaslibrary.gov/aa/index.php

James Madison's Contribution to the Constitution


Jump Back in Time


The New United States of America Adopted The Bill of Rights, December 15, 1791

Do you know your Bill of Rights? It is the first ten amendments to the Constitution, confirming the fundamental rights of American citizens. http://www.americaslibrary.gov/jb/nation/jb_nation_bofright_1.html

Today in History

Each day an event from American history is illustrated by digitized items from the Library of Congress American Memory historic collections. http://www.loc.gov/ammem/today

April 30, 1789: Father of Our Country

When President George Washington delivered the first inaugural address he outlined the need for a bill of rights. In his initial term the first ten amendments known as The Bill of Rights were adopted, establishing the fundamental rights of U.S. citizens and dismissing many fears associated with the relatively strong central government the Constitution provides. http://memory.loc.gov/ammem/today/apr30.htm

December 15, 1791: The Bill of Rights

On December 15, 1791, the new United States of America ratified The Bill of Rights, the first ten amendments to the U.S. Constitution, confirming the fundamental rights of its citizens. Find out what documents the author drew influence from when composing The Bill of Rights. http://memory.loc.gov/ammem/today/dec15.html

Exhibitions

Discover exhibitions that bring the world’s largest collection of knowledge, culture, and creativity to life through dynamic displays of artifacts enhanced by interactivity. www.loc.gov/exhibits

The Virginia Declaration of Rights

This uniquely influential document was used by James Madison in drawing up The Bill of Rights. http://www.loc.gov/exhibits/treasures/trt006.html

Madison’s Copy of the Proposed “Bill of Rights”

In response to the demands of the anti-federalists for amendments guaranteeing individual rights, James Madison drafted these twelve amendments to the Constitution, seen here in one of only two known copies of the preliminary printing. http://www.loc.gov/exhibits/treasures/trt013.html

Creating The Bill of Rights

Amending the federal Constitution to include a bill of rights was the essential political compromise in the creation of the United States government. http://myloc.gov/Exhibitions/creatingtheus/BillofRights/Pages/Default.aspx

Madison’s Treasures

The majority of these documents relates to two seminal events in which Madison played a major role: the drafting and ratification of the Constitution of the United States (1787-8) and the introduction (1789) in the First Federal Congress of the amendments that became The Bill of Rights. http://www.loc.gov/exhibits/madison/
American Memory provides free and open access through the Internet to written and spoken words, sound recordings, still and moving images, prints, maps, and sheet music that document the American experience. It is a digital record of American history and creativity. These materials, from the collections of the Library of Congress and other institutions, chronicle historical events, people, places and ideas that continue to shape America, serving the public as a resource for education and lifelong learning.

A Century of Lawmaking for a New Nation http://memory.loc.gov/ammem/amlaw/lawhome.html James Madison introduced his proposed amendments to the Constitution, which would eventually become known as The Bill of Rights. Additional debates related to these proposed amendments are found in this collection. A copy of the proposed amendments to the Constitution submitted to the state legislatures is found in the appendix to the Senate Journal, First Congress, First Session. Information on ratification of the first ten amendments to the Constitution by the various state legislatures is available in the appendix to the Annals of Congress, First Congress.

An American Time Capsule http://memory.loc.gov/ammem/rbpehtml/ This collection contains a copy of seventeen proposed amendments to the Constitution passed by the House of Representatives on August 24, 1789. These amendments were subsequently reduced to the twelve amendments passed by Congress and sent to the states on September 25, 1789. A printed version of The Bill of Rights from 1950 is available in this collection.

Documents from the Continental Congress and the Constitutional Convention http://memory.loc.gov/ammem/collections/continental/index.html The Continental Congress Broadside Collection (256 titles) and the Constitutional Convention Broadside Collection (21 titles) contain 277 documents relating to the work of Congress and the drafting and ratification of the Constitution.

George Washington Papers at the Library of Congress http://memory.loc.gov/ammem/gwhtml/gwhome.html This collection contains a letter from Washington to the Marquis de Lafayette, April 28, 1788 in which he discusses the prospects for ratification of the Constitution and the need for a bill of rights.

The James Madison Papers http://memory.loc.gov/ammem/collections/madison_papers/ Madison’s papers consist of 72,000 digital images, they document the life of the man who came to be known as “the father of the Constitution”. Included are Madison’s extensive notes of the debates during his three-year term in the Continental Congress. The papers also include James Madison’s notes for his speech on the proposed amendments to the Constitution. A letter written to George Washington discussing the political situation in Virginia as it related to the ratification of The Bill of Rights is also included.

The Thomas Jefferson Papers http://memory.loc.gov/ammem/collections/jefferson_papers/ Thomas Jefferson received a copy of the Constitution in November, 1787, while living in France. Beginning on the second page of a letter to James Madison dated December 20, 1787, Jefferson expressed his opinions on the new Constitution, including his belief that a bill of rights was needed. The Library of Congress is caretaker to the largest collection of original Jefferson documents in the world. In its online presentation, the collection consist of approximately 83,000 images.

Words and Deeds in American History http://memory.loc.gov/ammem/mcchtml/corhome.html Words and Deeds in American History presents important historical manuscripts that have been divided into broad thematic groups representing the holdings of the Library of Congress Manuscript Division. Each of these thematic groups are introduced by an essay that provides background to the historical documents and is useful for setting these materials within a curriculum context. Students can analyze George Washington’s inaugural address in which he called for constitutional amendments to satisfy citizen demands for a Bill of Rights.
Wise Guide  
A monthly web magazine of historical highlights and fascinating facts from the Library of Congress.  
http://www.loc.gov/wiseguide

May 2005: Who is the Father of the Constitution?  http://www.loc.gov/wiseguide/may05/constitution.html  When the federal Constitution was approved by the states and went into effect in 1789, the absence of a bill of rights was the loudest and most effective criticism of it. Although he believed that individual rights were fully protected by the Constitution as it was ratified, Madison recognized that drafting a bill of rights was politically imperative. His “Notes for a Speech in Congress,” June 8, 1789, highlights the arguments he used as a leader in the First Federal Congress to push 12 amendments to the Constitution through Congress in its first year. Ten of these amendments were ratified by the states and have been enshrined as the Bill of Rights.

Webcasts  
Steaming video presentations on all sorts of subjects from book talks by authors, scientific breakthroughs in preservation, and historical footage from the dawn of film.  
http://www.loc.gov/today/cyberlc/


Guardianship and the First Amendment  http://www.loc.gov/today/cyberlc/feature_wdesc.php?rec=3388  The author discusses censorship in America from the Gilded Age to the computer age.

Web Guides  
The Library of Congress is home to many of the most important documents in American history. This website provides links to materials digitized from the collections of the Library of Congress that supplement and enhance the study of these crucial documents.


Thomas  
THOMAS was launched in January 1995, at the inception of the 104th Congress. The Congress directed the Library of Congress to make federal legislative information freely available to the public.

Constitution Day Resources  http://thomas.loc.gov/teachers/constitution.html  In celebration of Constitution Day, the Library of Congress has compiled a variety of materials from across its collections. Explore these rich resources and features to learn more about one of America’s most important documents. There are links covering resources for teachers, American Memory Collections, stories for kids from America’s Library, books, and webcasts.

TPS EIU  
Resources found on the TPS EIU website and created by the TPS staff.

A Closer Look  http://eiu.edu/~eiutps/constitution_closer.php  Teaching with Primary Sources Eastern Illinois University brings you an interactive look at the Constitution like you have never seen before. You will be able to get up close and personal with this incredible document all from the comforts of your web browser. This will allow you to zoom into the document and see with incredible detail. You will also be able to navigate throughout the document and click on “hotspots” links that will take you to additional information. Be sure and check out the tab on The Bill of Rights to get a close up view of this document.

Resources for Teachers  http://eiu.edu/~eiutps/constitution_teachers.php  Here you will find links to educational resources that can be used in your classroom.
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