

Chapter 7 Section 4: Ratification and the Bill of Rights (pages 215-219)

In this section, we will:

- List the key issues in the constitutional debate.
- Explain how the Constitution was finally ratified.
- Describe how the Bill of Rights was added to the Constitution.

Important
vocabulary terms
this section

- Federalists
- Antifederalists
- The Federalist Papers
- amend
- Bill of Rights

Federalists debate Antifederalists

- After the Constitutional Convention, each state had to decide whether to ratify the new framework of government.
- As we have discussed, 9 of the 13 states had to approve the Constitution before it could go into effect.
- In 1787 & 1788, states elected delegates to special state conventions. These delegates would decide whether or not to ratify the Constitution.
- Heated debates took place in every state.
- Supporters of the Constitution called themselves **FEDERALISTS** because they favored a strong federal, or national government.
- People who opposed the Constitution were called **ANTIFEDERALISTS**.

Federalist position/beliefs

- believed the Articles of Confederation left too much power with the individual states, which created a weak central government.
- believed the Constitution gave the national government the authority it needed to function effectively, while still protecting the rights and powers of individual states.
- Alexander Hamilton, James Madison and John Jay wrote series of essays known as The Federalist Papers.
- purpose of The Federalist Papers was to explain and defend the Constitution.
- the authors used "pen" names but most people knew who they were.

Antifederalists position/beliefs

- believed the Constitution made the federal government too strong and left the states too weak.
 - believed the Constitution gave the President too much power.
 - key objection was that the Constitution had no bill of rights.
- Let's read Patrick Henry's quote on page 216...



Key Issue: The Need for a Bill of Rights

- Antifederalists believed that since the Americans had just fought a war to protect their freedoms, a bill of rights was needed to protect such basic liberties as freedom of speech and freedom of religion.
- Antifederalists argued that unless rights were spelled out in writing, they could easily be ignored.
- main proponent of the bill of rights was *George Mason of Virginia*.
- *Mason* had written the the bill of rights for the Virginia state constitution.



George Mason

The States Vote to Ratify

Ratification of the Constitution		
State	Convention Vote	Month Ratified
Delaware	30–0	December 1787
Pennsylvania	46–23	December 1787
New Jersey	38–0	December 1787
Georgia	26–0	January 1788
Connecticut	128–40	January 1788
Massachusetts	187–168	February 1788
Maryland	63–11	April 1788
South Carolina	149–73	May 1788
New Hampshire	57–47	June 1788
Virginia	89–79	June 1788
New York	30–27	July 1788
North Carolina	194–77	November 1789
Rhode Island	34–32	May 1790

Let's look at page 216 and read about ratification.

Adding a Bill of Rights

- Americans voted in the first election under the Constitution in January 1789.
- As expected, George Washington was elected President and John Adams was chosen Vice-President.
- first congress meets in NYC, our nation's first capital.
- Congress begins work to add a bill of rights.
- Several states had agreed to ratify only on the condition a bill of rights be added.



Washington



Adams

The Bill of Rights video
5:00



The Bill of Rights

Ratified 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 reexamined 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 punishment 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.

- The framers of the Constitution had established a way to **amend**, or change the Constitution. Since they did not want the people to make changes lightly, the process to amend the Constitution is fairly difficult. (More on that in chapter 8)
- the first Congress proposed a set of 12 amendments written by James Madison.
- As required by the Constitution, the amendments went to the states,
- By December 1791, 3/4 of the states had ratified (approved) 10 of the 12 amendments.
- These ten amendments are known as the _____ of _____.



James Madison

Let's finish up
with the
reading on
page 218,
"The Bill of
Rights."