

# Why a Bill of Rights and What Impact Does it Have?

All have heard the saying, “Great minds think alike.” When many great minds of the colonies gathered to create a new government, two rarely thought exactly alike. The Bill of Rights was created through the kind of debate and exchange of ideas that it protects to this day. The Declaration of Independence states the purpose of government is to protect our basic human rights. This was one principle that all the Founders did agree on. But if they created a great system to protect rights, why did they argue about a bill of rights?

## **Who Were the Federalists and Anti-Federalists?**

Two groups formed during the discussion over a bill of rights. **Federalists** strongly supported the Constitution as it was written and did not think a bill of rights was needed. **Anti-Federalists** felt that a bill of rights would prevent the central government from threatening states’ authority and oppressing citizens. Federalists included Alexander Hamilton from New York and, at first, James Madison from Virginia. They believed a bill of rights was not needed because the Constitution itself limited the government’s powers. They also feared that creating a list of rights might lead to other dangers. It would be impossible to list every right. Federalists did not want certain rights to be ignored just because they were not listed. Anti-Federalists included George Mason and Patrick Henry of Virginia. They thought that listing rights would help protect against the powerful central government taking away the freedoms they had fought a revolution to preserve.

## **Why Did Madison Change His Mind?**

The Constitutional Convention ended in late 1787, but the debate went on. Nine states ratified (approved) the Constitution by the summer of 1788. However, New York, Virginia, and Massachusetts submitted long lists of proposed amendments to guarantee rights. It became clear the people wanted a bill of rights. Madison sought the advice of Thomas Jefferson, John Adams, George Mason and President George Washington. They all expressed support for a bill of rights. Mason suggested using state declarations of rights as a guide. Madison changed his mind and encouraged his fellow congressmen to support a bill of rights in 1789. Madison offered many proposed changes to Articles I and III of the Constitution on June 8, 1789. He originally made small word additions and changes to the original Constitution. Some Congressmen objected, arguing that Congress did not have the power to change the original form of the Constitution. They decided the Amendments would be added as a separate list. The House of Representatives debated through the summer. On August 24, 1789, the House sent a list of seventeen amendments to the Senate. The Senate approved twelve. Those twelve were sent to the states for ratification (approval). On December 15, 1791, Virginia’s state convention became the last to ratify the ten amendments that protected rights. The Bill of Rights now joined the Constitution as the governing document of the United States.

## **What Is the Impact of the Bill of Rights?**

The Bill of Rights limited only actions taken by the federal government against people. The Founders assumed citizens would be protected by their home states’ constitution. For this reason, the Bill of Rights did not strongly impact Americans’ lives until the Fourteenth Amendment was passed. The Fourteenth Amendment applied the Bill of Rights to state governments. In the twentieth century, the role of the federal government shifted. As a result of the federal government’s expanded role, its size, purpose, and significance have changed. The change also affected the national view of the Bill of Rights. The document that rarely affected American’s lives soon after its ratification now takes center stage in American society and politics. The Bill of Rights began with debate over its very existence. Perhaps it is fitting that it still brings about questions and controversy today. Great minds do sometimes think alike, but the Bill of Rights protections ensure that the law cannot make them do so.