The History of the Bill of Rights

Several delegates to the convention refused to sign the newly drafted constitution because it did not include a bill of rights. Bills of rights were typically parts of the constitutions of the several states of the day (and today), placed there to ensure that certain rights were recognized by the government. Most of the delegates did not feel such a bill was necessary, and other may have been on the fence but were weary from the months of negotiations.

The lack of a bill of rights was one of the main arguments used to try to convince the public to reject the Constitution. But the need for change was all too evident, and it was not rejected. However, some of the states sent suggestions for amendments to the Constitution to add an enumeration of certain rights. The ratification messages of the states included many varying suggestions, which the very first Congress took under consideration in its very first session.

Representative James Madison, who was so instrumental in the creation of the Constitution in the first place, drafted a bill of rights. Though he originally opposed the idea, by the time he ran for a seat in the House, he used the creation of a bill as part of his campaign. He introduced the bill into the House, which debated it at length and approved 17 articles of amendment. The Senate took up the bill and reduced the number to 12, by combining some and rejecting others. The House accepted the Senate's changes, voting on September 24th and 25th, 1789; twelve articles of amendment were sent to the states for ratification.

The first two articles were not accepted by enough states, but the last ten were. We know them today as Amendments 1 through 10.

The first ten amendments, collectively known as the Bill of Rights, were ratified on December 15, 1791