Name: _____ Date: _____

Ten Promises in Writing

Reading level 12 (8th grade) · 1189 words

After the American Revolution, a group of men wrote a plan for the new national government, which is called the Constitution. When the plan was finished, it was sent to the states to be approved. But not everyone liked it. George Mason of Virginia was one of three delegates who would not sign it on the last day, and he wrote a pamphlet to explain why. His complaint was simple. The plan said a great deal about what the government could do, but it did not list the rights of the people. Many Americans agreed with him.

James Madison, a leader from Virginia, thought at first that a list of rights was not needed. The new government, he said, could use only the powers that the Constitution gave it. But the vote in the key state of Massachusetts was in danger of failing. The people who supported the Constitution made a promise. If the state approved it, the first Congress would be asked to think about adding changes, which are called amendments, and some of them would be about rights. The deal worked, and the Constitution went ahead.

The first Congress met in New York City, in a building called Federal Hall, which had once been the city hall. Most of its members did not want to spend time changing the Constitution so soon. They had many other jobs to do. But Madison, once the loudest voice against a bill of rights, had changed his mind. He had seen how much voters cared about these protections, and he thought that writing them down might calm the people who feared the new government. On June 8, 1789, he stood up in Congress and offered a list of amendments.

Madison kept after his colleagues until they paid attention. He picked rights, and left out other ideas that people had suggested for changing how the government was built, so that more people in both houses of Congress could agree. The House of Representatives passed a list of seventeen amendments, and then the Senate cut it down to twelve. A committee from both houses settled the last differences in September. On October 2, 1789, President George Washington sent copies of the twelve amendments to the states. Then the states had to vote. Three-fourths of them had to say yes before any amendment could count, and so it took more than two years.

On December 15, 1791, enough states had agreed to ten of the twelve amendments. Those ten are the Bill of Rights. They are short, and each one is a promise in writing. The first is about voices. The government may not stop people from speaking, from printing their ideas, or from meeting together in peaceful groups. It may not stop them from asking the government to fix a problem. The same amendment says that people may worship as they choose. Those few lines have been read, quoted, and argued over ever since.

Other promises are about homes. Before the Revolution, British laws had let soldiers take

over private houses. The Bill of Rights says that in peacetime, soldiers cannot be placed in someone's home without the owner's consent. A different promise says that officials may not search a person's home or papers without a good reason. They must first have a warrant, a written order that names the place to be searched. These are the third and fourth amendments. The fear of soldiers in the house was fresh in people's memories, and a person's home, the Bill of Rights says, should be safe from unreasonable searches.

Still other promises protect people who are accused of a crime. A person who is accused has the right to a speedy and public trial, in front of a fair jury. The person must be told what the charge is, must be allowed to face the witnesses, and may have a lawyer for help. Another promise says that bail and fines may not be too large, and that punishments may not be cruel and unusual. The idea is that the law should be fair, even to the person who stands accused.

The last promises are the most surprising. The ninth says that listing some rights in the Constitution does not mean that people have no others. The tenth says that any power the Constitution does not give to the national government belongs to the states or to the people. The men who wrote them knew that no list could cover everything. The rights of the people, they said, were not limited to the ones named on those pages. And if a power was not on the list, the national government was not supposed to use it.

Ten promises in writing are not the same as ten promises kept. In 1791, enslaved people lived in the United States, and the promises of the Bill of Rights did not reach them in daily life. They were not free to speak, to meet, or to be safe in their own homes. The country has had to work, argue, and sometimes go to court over the years to make the promises real for more people. Slavery ended in the United States only in 1865, with the Thirteenth Amendment, which still allowed it as a punishment for a crime. Even today, people disagree about exactly what some of the words mean.

Two of the twelve amendments were not part of the first ten. The first one, about how large Congress should grow as the country grew, with one representative for every so many people, was never approved. The second one, about the pay of members of Congress, waited a very long time, still in the list of proposals, while the years went by. It was finally approved in 1992, two hundred three years after Congress proposed it, and it became the Twenty-Seventh Amendment. A promise written in 1789 was still being added to the Constitution when many of today's parents were children.

Madison came to believe that a promise in writing does more than limit the government. It also teaches. He also thought that adding them might keep opponents from asking for bigger changes to the new government. When rights are written down, people can read them, point to them, and remember them. A child can learn what the government may not do, and a grown-up can say, it says so right here. That is why the Bill of Rights is a short document, kept in plain words, and why it is still taught to every class of students.

Here are two of the promises in their own words, from the Bill of Rights, ratified in 1791. The eighth amendment says that bail, which is money a person leaves with the court while waiting for a trial, may not be too high. The ninth says that the rights listed in the Constitution are not the only ones people have. “Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.” (Amendment VIII) “The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.” (Amendment IX)

Questions

1. Why did George Mason refuse to sign the Constitution?

A. It did not list the rights of the people
B. It was written in a foreign language
C. It had too many amendments already

2. Who offered the list of amendments in the first Congress?

A. George Washington
B. James Madison
C. George Mason

3. In this story, what is a warrant?

A. A kind of weapon
B. A written order naming the place to be searched
C. A fine for breaking the law

4. What does the ninth amendment tell us?

A. Only the rights on the list exist
B. The list of rights is only a part of the people's rights
C. The states have no rights

5. Why does the story say ten promises in writing were not the same as ten promises kept?

A. Not everyone was protected by them at first
B. Nobody could read the words
C. The promises were secret

Words to know

amendment: a change
warrant: written order
bail: money pledge
enumeration: a list
retained: kept

Answer key: Ten Promises in Writing

1. A. It did not list the rights of the people
2. B. James Madison
3. B. A written order naming the place to be searched
4. B. The list of rights is only a part of the people's rights
5. A. Not everyone was protected by them at first