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BILL OF RIGHTS FAQs

What is the Bill of Rights?

The Bill of Rights is the first 10 amendments to the United States Constitution. These amendments guarantee essential rights and civil liberties, such as the right to free speech and the right to a fair trial, as well as reserving rights to the people and the states.

As a distinct historical document, drafted separately from the seven articles that form the body of the Constitution, the Bill of Rights has its own fascinating story. But ever since the first 10 amendments were ratified in 1791, the Bill of Rights has also been an integral part of the Constitution.

How many original copies of the Bill of Rights exist? Where are they?

Congress commissioned 14 official copies of the Bill of Rights—one for the federal government and one for each of the original 13 states, which President George Washington dispatched to the states to consider for ratification.

Today, most of these original copies reside at the archives of their respective states. The federal government's copy is on display at the National Archives and Records Administration in Washington, D.C.—alongside the original, handwritten copies of the U.S. Constitution and the Declaration of Independence.

Four states are missing their copies —Georgia, Maryland, New York, and Pennsylvania. Two unidentified copies are known to have survived; one is in the Library of Congress, and the other is in the collection of The New York Public Library, which is the copy that will be displayed at the National Constitution Center.

North Carolina's copy of the Bill of Rights was missing for nearly 140 years after being stolen by a Union soldier during the Civil War. The National Constitution Center played a key role in the recovery of the document in 2003, including assisting in an FBI sting operation.

Why wasn't the Bill of Rights included in the original Constitution?

Toward the end of the Constitutional Convention in 1787, George Mason, a delegate from Virginia, proposed adding a bill of rights, which would, he argued, give great quiet to the people" and "might be prepared in a few hours."

Though it might be surprising today, the state delegations unanimously rejected Mason's proposal. Some delegates reasoned that a federal bill of rights was unnecessary because most state constitutions already included some form of guaranteed rights; others said that outlining certain rights would imply that those were the only rights reserved to the people. However, historian Richard Beeman, a Trustee of the National Constitution Center, has pointed out a much more prosaic reason the delegates were so skeptical: They had spent four arduous months of contentious debate in a hot, stuffy room, and were anxious to avoid anything that would prolong the convention. They wanted to go home, so they took a pass. A bill of rights was overruled.

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The Constitution was signed by 39 delegates on September 17, 1787, at the Pennsylvania State House, now known as Independence Hall, in Philadelphia. Three delegates were present but refused to sign, in part because of the absence of a bill of rights: George Mason, Edmund Randolph, and Elbridge Gerry.

After the convention, the absence of a bill of rights emerged as a central part of the ratification debates. Anti-Federalists, who opposed ratification, viewed its absence as a fatal flaw. Several states ratified the Constitution on the condition that a bill of rights would be promptly added, and many even offered suggestions for what to include.

Pauline Maier, author of *Ratification: The People Debate the Constitution, 1787–1788*, noted of these proponents of a bill of rights:

“Without their determined opposition, the first ten amendments would not have become a part of the Constitution for later generations to transform into a powerful instrument for the defense of American freedom. ... Their example might well be their greatest gift to posterity.”

Who wrote the Bill of Rights?

After the Constitution was ratified in 1788, James Madison, who had already helped draft much of the original Constitution, took up the task of drafting a bill of rights. Madison largely drew from the Virginia Declaration of Rights, which was primarily written by George Mason in 1776 two months before the Declaration of Independence; he also drew from amendments suggested by state ratifying conventions.

Madison drafted 19 amendments, which he proposed to Congress on June 8, 1789. The House of Representatives narrowed those down to 17; then the Senate, with the approval of the House, narrowed them down to 12. These 12 were approved on September 25, 1789 and sent to the states for ratification.

When was the Bill of Rights ratified?

The 10 amendments that are now known as the Bill of Rights were ratified on December 15, 1791, thus becoming a part of the Constitution.

The first two amendments in the 12 that Congress proposed to the states were rejected: The first dealt with apportioning representation in the House of Representatives; the second prevented members of Congress from voting to change their pay until the next session of Congress. This original “Second Amendment” was finally added to the Constitution as the 27th Amendment, more than 200 years later.

Bill of Rights Day is observed on December 15 each year, as called for by a joint resolution of Congress approved by President Franklin D. Roosevelt in 1941.

Where was the Bill of Rights written?

The Bill of Rights was drafted in New York City, where the federal government was operating out of Federal Hall in 1789. (The Declaration of Independence and the original, unamended Constitution were written and signed in Philadelphia.)

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ADD TWO/BILL OF RIGHTS FAQs

Why is the Bill of Rights so important?

The Bill of Rights represents the first step that “We the People” took in amending the Constitution “in Order to form a more perfect Union.” The original, unamended Constitution was a remarkable achievement, establishing a revolutionary structure of government that put power in the hands of the people. The Bill of Rights built on that foundation, protecting our most cherished American freedoms, including freedom of speech, religion, assembly, and due process of law. For more than two centuries—as we have exercised, restricted, expanded, tested, and debated those freedoms—the Bill of Rights has shaped and been shaped by what it means to be American.

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