

A bill of rights — then, and now

Given the state of political discourse, would we be able to craft one today?

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Watching the often vitriolic debates in Congress these days can be disturbing. But disagreement and debate are part of our national DNA. Consider the Bill of Rights, which was as controversial when it was first debated as parts of it still are today.

The founders of our country, united in the revolution, were divided over the issue of including a bill of rights in the Constitution of 1787. And although those first 10 amendments were eventually ratified — 218 years ago today — the outcome was at times in doubt.

James Madison and other Federalists opposed adding a bill of rights. They argued that the document hammered out at the Constitutional Convention granted only limited powers to the national government and that it was therefore unnecessary to enumerate rights the new government had no power to abridge. They also argued that by enumerating specific rights, other unnamed rights might not be protected.

Virginia delegate George Mason argued vehemently for a bill of rights. When the majority at the convention failed to act, he and two others refused to sign the completed Constitution. The Anti-Federalists, among them Patrick Henry, argued that the strong national government proposed in the Constitution threatened state sovereignty and individual rights.

The lack of a bill of rights provoked conflict as states debated ratifying the Constitution. Five states ratified easily, but a strong, organized opposition emerged at the Massachusetts convention. Finally, two delegates, John Adams and John Hancock, negotiated a compromise. Massachusetts would ratify but would also recommend amendments to the Constitution to the new Congress.

Subsequent states made similar calls for amendments, many about safeguarding basic rights. After the Constitution was finally ratified, the first Congress met and



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took up the question of rights. Responding to seven states' calls for amendments, Rep. James Madison addressed the House on the issue. Originally in opposition, Madison had changed his mind. He prepared the list of amendments that, after much more debate, conflict and compromise, became our Bill of Rights.

Today we still debate the Bill of Rights. But these debates focus on the meaning of the amendments, not their inclusion.

Consider the 2nd Amendment. Can everyone have as many guns or any kind of gun, or can guns be restricted, registered and regulated?

What does the 1st Amendment mean? Can the Ten Commandments be displayed in government buildings? What place does prayer have in public schools?

Then there are the due process rights contained in the 4th, 5th and 6th amendments. Are prisoners held by the U.S. in places such as Guantanamo Bay, Cuba, entitled to those rights?

We may disagree, but these and many other issues that we care about — that define our lives — are debated and contested based on those words written so long ago.

Given the nature of modern political discourse, too often driven by partisanship, power-seeking and punditry, one wonders if we would be able to craft a constitution or a bill of rights today.

Indeed, can we even manage to address the controversial issues that do face us? How many Madisons are out there willing

to compromise or reverse positions for the good of the country?

For our democracy to continue to flourish, we must have an educated and involved citizenry. We must have leaders who can debate and compromise to find solutions to our vexing problems.

And we must educate our young people to take these civic roles in the future. This vital task must be borne by both parents and schools.

Research shows that parents can play a major role in the development of their children's civic education. You can make a big difference by engaging your children in discussions about issues and politics, watching and discussing the news with them, and by taking them to the polls or public meetings with you.

Schools must encourage civic learning. Students should have plenty of practice in structured discussion of politics and controversial issues to help them learn to analyze cause and effect and multiple points of view, present fact- and logic-based opinions, and listen to what others have to say.

Research shows that students who have the opportunity to participate in simulations such as legislative hearings, mock trials and, yes, even constitutional conventions not only learn more but develop greater civic skills and interest in politics.

Although we need to make sure our children are proficient in math and reading, it is vitally important to the future of our democracy that they also learn what it means to be a competent and involved citizen.

We celebrate the Bill of Rights, not only for its importance but because of the actions that brought it into being — the passionate and reasonable contributions of wise leaders and active citizens.

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