

Happy Bill of Rights Day!

Contributed by ontheway on Tuesday, December 15, 2009 12:57:18 PM

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Today, December 15, is the official Bill Of Rights Day -- the day proclaimed by President Franklin Delano Roosevelt as a "day to be remembered and observed by those institutions of a democratic people which owe their very existence to the guarantees of the Bill of Rights."

Obama released a proclamation for the day, see below.

Bill of Rights Day was first observed in 1941. [Here's more:](#)

The Bill of Rights, which was ratified on December 15, 1791, includes the first ten amendments to the United States Constitution. The amendments protect citizen's rights to speak, worship, and assemble; to keep and bear arms; protects against quartering soldiers; protects against unreasonable search and seizure; avoid self incrimination; guarantees trial by jury and rights of the accused; assures jury trials in certain civil cases; prohibits excessive bail and cruel and unusual punishment; protects other rights not specifically enumerated in the Constitution; defaults government power to the states.

Presidential Proclamation--Human Rights Day, Bill of Rights Day, and Human Rights Week

A PROCLAMATION

More than 60 years ago, the United Nations General Assembly approved the Universal Declaration of Human Rights, declaring the "inherent dignity" and "equal and inalienable rights" of all human beings as the "foundation of freedom, justice and peace in the world." This self-evident truth guides us today. Although every country and culture is unique, certain rights are universal: the freedom of people -- including women and ethnic and religious minorities -- to live as they choose, speak their minds, organize peacefully and have a say in how they are governed, with confidence in the rule of law. History shows that countries that protect these rights are ultimately more stable, secure, and successful.

In the United States, these fundamental rights are the core of our Declaration of Independence, our Constitution, and our Bill of Rights. They are the values that define us as a people, the ideals that challenge us to perfect our union, and the liberties that generations of Americans have fought to preserve at home and abroad. Indeed, fidelity to our fundamental values is one of America's greatest strengths and the reason we stand in solidarity with those who seek these rights, wherever they live.

Human Rights Day, Bill of Rights Day, and Human Rights Week must be our call to action. As Americans, we must keep striving to live up to our founding ideals. As a Nation, the United States will always side with the innocent whose rights are denied, the

oppressed who yearn for equality, and all those around the world who strive for freedom. As members of what President Franklin Roosevelt called "the human community," we will never waver in our pursuit of the rights, dignity, and security of every human being.

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by virtue of the authority vested in me by the Constitution and the laws of the United States, do hereby proclaim December 10, 2009, as Human Rights Day; December 15, 2009, as Bill of Rights Day; and the week beginning December 10, 2009, as Human Rights Week. I call upon the people of the United States to mark these observances with appropriate ceremonies and activities.

IN WITNESS WHEREOF, I have hereunto set my hand this ninth day of December, in the year of our Lord two thousand nine, and of the Independence of the United States of America the two hundred and thirty-fourth.

BARACK OBAMA

There are many cynical comments out there about the Bill of Rights. [Tim Lynch](#) of the Cato Institute blog has a whole list:

The First Amendment says that Congress "shall make no law...abridging the freedom of speech." Government officials, however, insist that they can make it a crime to mention the name of a political candidate in an ad in the weeks preceding an election. They also insist upon gag orders in thousands of federal investigations.

The Second Amendment says the people have the right "to keep and bear arms." Government officials, however, insist that they can make it a crime to keep and bear arms.

The Third Amendment says soldiers may not be quartered in our homes without the consent of the owners. This safeguard is doing so well that we can pause here for a laugh.

The Fourth Amendment says the people have the right to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures. Government officials, however, insist that they can storm into homes in the middle of the night after giving residents a few seconds to answer their "knock" on the door.

The Fifth Amendment says that private property shall not be taken "for a public use without just compensation." Government officials, however, insist that they can take away our property and give it to others who covet it.

The Sixth Amendment says that in criminal prosecutions, the person accused shall enjoy a speedy trial, a public trial, and an impartial jury trial. Government officials, however, insist that they can punish people who want to have a trial. That is why 95% of the criminal cases never go to trial. The handful of cases that do go to trial are the ones you see on television—the late Michael Jackson and Scott Peterson, etc.

The Seventh Amendment says that jury trials are guaranteed even in petty civil cases where the controversy exceeds “twenty dollars.” Government officials, however, insist that they can impose draconian fines against people without jury trials. (See “Seventh Amendment Right to Jury Trial in Nonarticle III Proceedings: A Study in Dysfunctional Constitutional Theory,” 4 William and Mary Bill of Rights Journal 407 (1995)).

The Eighth Amendment prohibits cruel and unusual punishments. Government officials, however, insist that jailing people who try to ingest a life-saving drug is not cruel.

The Ninth Amendment says that the enumeration in the Constitution of certain rights should not be construed to deny or disparage others “retained by the people.” Government officials, however, insist that they will decide for themselves what rights, if any, will be retained by the people.

The Tenth Amendment says that the powers not delegated to the federal government are to be reserved to the states, or to the people. Government officials, however, insist that they will decide for themselves what powers are reserved to the states, or to the people.

And here's a comment from [another blog](#) to finish off:

Politicians are just like children. They claim to not understand the rules, all the while doing everything they can, parsing every word to stretch the plain meaning of them.