



Bill of Rights Day: what Obama says about it

Bill of Rights Day commemorates Dec. 15, 1791 – when the first 10 amendments to the US Constitution took effect. In the past week, Obama issued a proclamation for the day.

By Peter Grier Staff writer / December 15, 2009

Washington —

Happy Bill of Rights Day! Yes, 218 years ago to the day, the first 10 amendments to the US Constitution took effect, following their ratification by three-fourths of the states.

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OK, so Dec. 15 is not exactly a patriotic holiday on a par with July 4. But President Obama did issue a proclamation a few days ago. It covered Bill of Rights Day, Human Rights Day (Dec. 10), and Human Rights Week (the week beginning Dec. 10) – a sort of three-for-one verbal commemoration.

“[C]ertain rights are universal: the freedom of people ... 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,” said Mr. Obama’s proclamation. “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 the Declaration of Independence, the Constitution, and the Bill of Rights, Obama said.

“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,” said the president.

It appears that Franklin D. Roosevelt was the first president to order an observation of Bill of Rights Day, though archivists at the FDR library in Hyde Park, N.Y., say they can’t confirm it.

FDR’s proclamation was issued in late November of 1941 – just days before the attack on Pearl Harbor. In it, he said he was responding to a request made by a joint resolution of Congress.

FDR called the Bill of Rights “the great American charter of personal liberty.”

“And I call upon the officials of the Government, and upon the people of the United States, to observe the day by displaying the flag ... and by meeting together for such prayers and such ceremonies as may seem to them appropriate,” said FDR’s statement, according to a copy produced by the FDR library.

Forgot what those 10 amendments actually are? You can see them here.

To go over some highlights, the First Amendment covers freedom of speech, the press, religion, and assembly, among other things. The

Second Amendment deals with the right to keep and bear arms. The Fifth Amendment protects defendants against being compelled to incriminate themselves. The Eighth Amendment prohibits cruel and unusual punishment.

James Madison introduced all these to the first US Congress in 1789. Federalists thought them unnecessary: They believed the Constitution implicitly would cover all these things. Anti-Federalists were suspicious of the power of a centralized government and wanted those things written down. Just to make sure.

Or to try to make sure. Many libertarians would say we need constant vigilance to keep the government from overstepping its bounds.

“[T]he Framers of the Constitution would *not* have been surprised by the relentless attempts by government to expand its sphere of control.... They nevertheless concluded that putting safeguards down on paper was better than having nothing at all,” writes Tim Lynch, director of the Project on Criminal Justice at the libertarian-leaning Cato Institute.

On this day, Mr. Lynch adds, we should remember the millions of people around the world who have exactly that to protect their basic rights – nothing at all.

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