

# Inside the First Congress: Debating the Bill of Rights

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## Station 1 Worksheet: The Source of Rights

### Part 1: Proposals from State Ratifying Conventions:

*Virginia Convention, June 27, 1789*

There are certain natural rights of which men, when they form a social compact cannot deprive or divest their posterity, among which are the enjoyment of life and liberty, with the means of acquiring, possessing and protecting property, and pursuing and obtaining happiness and safety.

*New York Convention, July 26, 1788*

That the Powers of Government may be reassumed by the People, whensoever it shall become necessary to their Happiness; that every Power, Jurisdiction and Right, which is not by the said Constitution clearly delegated to the Congress of the United States, or to the departments of the Government thereof, remains to the People of the several States or to their respective State Governments to whom they may have granted the same....

### Questions:

1. What did the Virginia Convention proclaim about the source of rights?
2. What rights did the Virginia Convention identify?
3. What did the New York Convention declare about the source of a government's powers?
4. According to the New York Convention, on what conditions did a government have power?

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## Station 1 Worksheet Continued: The Source of Rights

### Part 2: Rights Reflected in Proposed Amendments to the Constitution

An amendment based on the proposals from state ratifying conventions as introduced in the House of Representatives by James Madison on June 8, 1789.

*That the following language be inserted into Article I, Section 9, of the Constitution between Clauses 3 and 4:*

The exceptions here or elsewhere in the Constitution, made in favor of particular rights, shall not be so construed as to diminish the just importance of other rights retained by the people, or as to enlarge the powers delegated by the Constitution; but either as actual limitations of such powers, or as inserted merely for greater caution.

### Questions:

1. What ideas from the Virginia convention's proposal did Madison's proposed amendment echo?
2. What ideas from the New York convention's proposal did Madison's proposed amendment echo?
3. What principle expressed by the New York convention was absent from Madison's proposal?

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### Part 3: Rights Reflected in the Ratified Bill of Rights

*Proposed Amendment XI as sent by Congress to the States for Ratification, December 15, 1791 (Ratified as Amendment IX)*

The enumeration in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people.

#### Questions:

1. How does Amendment IX, as ratified, embody the constitutional principle of limited government?
2. What elements of the Virginia and New York proposals were absent from Amendment IX?
3. Draft a proposed amendment that would add the omitted elements of the Virginia and New York proposals to the Constitution.

