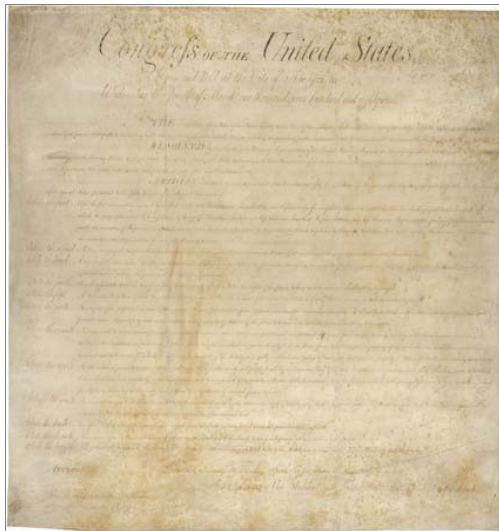


Bill of Rights



Bill of Rights of the United States
Constitution.

National Archives, Washington, D.C.

Bill of Rights, in the United States, the first 10 amendments to the U.S. Constitution, which were adopted as a single unit on December 15, 1791, and which constitute a collection of mutually reinforcing guarantees of individual rights and of limitations on federal and state governments.

The Bill of Rights derives from the Magna Carta (1215), the English Bill of Rights (1689), the colonial struggle against king and Parliament, and a gradually broadening concept of equality among the American people. Virginia's 1776 Declaration of Rights, drafted chiefly by George Mason, was a notable forerunner. Besides being axioms of government, the guarantees in the Bill of Rights

have binding legal force. Acts of Congress in conflict with them may be voided by the U.S. Supreme Court when the question of the constitutionality of such acts arises in litigation (see judicial review).

The Constitution in its main body forbids suspension of the writ of habeas corpus except in cases of rebellion or invasion (Article I, section 9); prohibits state or federal bills of attainder and ex post facto laws (I, 9, 10); requires that all crimes against the United States be tried by jury in the state where committed (III, 2); limits the definition, trial, and punishment of treason (III, 3); prohibits titles of nobility (I, 9) and religious tests for officeholding (VI); guarantees a republican form of government in every state (IV, 4); and assures each citizen the privileges and immunities of the citizens of the several states (IV, 2).

Popular dissatisfaction with the limited guarantees of the main body of the Constitution expressed in the state conventions called to ratify it led to demands and promises that the first Congress of the United States satisfied by submitting to the states 12 amendments. Ten were ratified. (The second of the 12 amendments, which required any change to the rate of compensation for congressional members to take effect only after the subsequent election in the House of Representatives, was ratified as the Twenty-seventh Amendment in 1992.) Individual states being subject to their own bills of rights, these amendments were limited to restraining the federal government. The Senate refused to submit James Madison's amendment (approved by the House of Representatives) protecting religious liberty, freedom of the press, and trial by jury against violation by the states.