

violated if necessary; saying a right "shall" not be denied meant that it could never be legally violated. "Ought" said that a right was just a good idea; "shall" said that it was a command.

A "Nauseous Project"

James Madison (1751–1836) was a reluctant supporter of the Bill of Rights, although he is credited as its author. As a Federalist, Madison initially opposed adding a bill of rights to the Constitution. But his friend Thomas Jefferson and the voters of Virginia convinced Madison that a bill of rights was both philosophically sound and politically necessary.

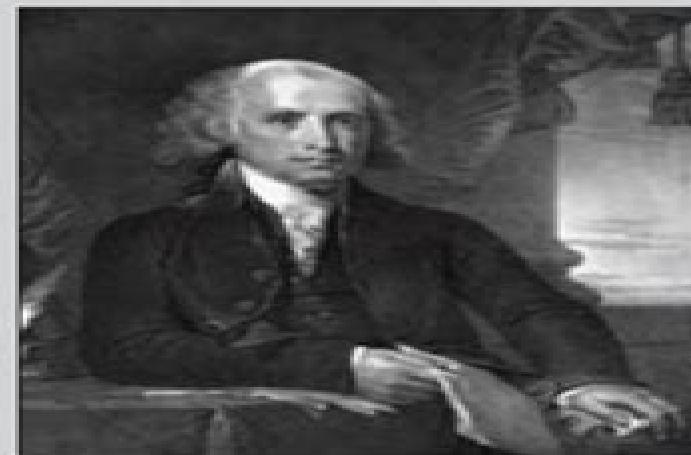
Madison faced an uphill battle getting the Bill of Rights through the first Congress. When the legislators finally agreed to hear Madison's suggested amendments, they criticized his proposals unmercifully. Opponents referred to Madison's amendments as "milk and water" and "water gruel" designed to cure the imaginary illnesses of the public.

Some Anti-Federalists in Congress accused Madison of more ominous motives. By offering the people meaningless amendments, they argued, Madison was distracting attention from the serious dangers to liberty posed by a strong central government. Madison's critics charged that his amendments were "a tub thrown out to a whale"—referring to sailors' practice of throwing out a wooden tub to distract the whale and prevent it from attacking the ship itself.

Even George Mason, the chief advocate of a bill of rights, offered Madison little support. Mason commented that Madison had become, after his election to Congress, the "patron of amendments." Mason added, "perhaps some milk and water propositions may be made...by way of throwing out

a tub to the whale; but of important and substantial amendments, I have not the least hope."²⁹

Congressional debates over the Bill of Rights were, in Madison's words, "extremely difficult and fatiguing" and "exceedingly wearisome." Indeed, members of Congress challenged each other to duels at one passionate point in the debates. After months of congressional deliberations, Madison wrote to a friend that the Bill of Rights had become a "nauseous project."³⁰ But Madison's skill as a lobbyist finally paid off, and Congress approved the final version of the Bill of Rights on September 25, 1789.



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James Madison was the first U.S. president to earn a graduate degree.

The Bill Of Rights A Users Guide

David Baud

The Bill Of Rights A Users Guide:

The Bill of Rights Linda R. Monk,2018-04-10 An engaging accessible guide to the Bill of Rights for everyday citizens With a Foreword by US Supreme Court Justice Ruth Bader Ginsburg In The Bill of Rights A User s Guide award winning author and constitutional scholar Linda R Monk explores the remarkable history of the Bill of Rights amendment by amendment the Supreme Court s interpretation of each right and the power of citizens to enforce those rights This guide features stories of the ordinary people who made the Bill of Rights come alive including Fannie Lou Hamer a Mississippi sharecropper who became a national civil rights leader Clarence Earl Gideon a prisoner whose handwritten petition to the Supreme Court expanded the right to counsel Mary Beth Tinker a 13 year old whose protest of the Vietnam War established free speech rights for students Michael Hardwick a bartender who fought for privacy after police entered his bedroom unlawfully Suzette Kelo a nurse who opposed the city s takeover of her working class neighborhood and Simon Tam a millennial whose ten year trademark battle for his band The Slants ended in a unanimous Supreme Court victory Such people prove that in the words of Judge Learned Hand Liberty lies in the hearts of men and women when it dies there no constitution no law no court can save it Exploring the history scope and meaning of the first ten amendments as well as the Fourteenth Amendment which nationalized them and extended new rights of equality to all The Bill of Rights A User s Guide is a powerful examination of the values that define American life and the tools that every citizen needs *Monthly Catalog of United States Government Publications* United States. Superintendent of Documents,1994 February issue includes Appendix entitled Directory of United States Government periodicals and subscription publications September issue includes List of depository libraries June and December issues include semiannual index **The Bill of Rights Bicentennial** Anne E. Levinson,1991 **Monthly Catalogue, United States Public Documents** ,1994 Federal Data Banks, Computers, and the Bill of Rights United States. Congress. Senate. Committee on the Judiciary. Subcommittee on Constitutional Rights,1971 **ALA Handbook of Organization** American Library Association,2004 **Bibliographic Guide to Law** ,1987 *Encyclopedia of Human Rights Issues Since 1945* Winston Langley,2013-04-03 This comprehensive and up to date encyclopedia on human rights issues from 1945 to the present includes more than 400 entries on incidents and violations instruments and initiatives countries and human rights activities Its scope is global and its purpose is both to sum up the accomplishments in human rights in our time and also to point out and describe the violations that continue to be perpetrated around the world Entries cover major issues incidents and violations concepts and terms activists organizations and human rights instruments Entries cover more than 50 countries from Afghanistan to Yugoslavia Entries conclude with suggestions for further readings and a timeline of significant dates since 1945 and the text of the Universal Declaration of Human Rights are also included *The Bill of Rights and American Legal History: Rights of assembly, petition, arms, and just compensation* Paul L. Murphy,1990 **Passport to Legal Understanding** ,1990 **California. Court of Appeal**

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