

**From VOA Learning English, welcome to THE MAKING OF A NATION – American history in Special English. I’m Steve Ember.**

This week in our series, we continue with the history of the United States Constitution. The Constitution became law once nine of America's 13 original states ratified it. The Continental Congress set a date for the new plan of government to take effect: the first Wednesday in March of 1789.



In 1789, the population of the United States was about four million. The 13 states had been loosely united for a short time, only about 10 years. Before that, they were separate colonies of Britain.

Because the colonies were separate, they developed different ways of life, different economies, different traditions.

Americans were fiercely independent. But the crisis of the American Revolution brought them together.

Together, they celebrated the Fourth of July, the day in 1776 when America declared its independence from Britain. Together, they fought British troops to make that declaration a political reality. And together they joined under the Latin phrase "e pluribus unum" -- one out of many.

Yet they did not really consider themselves a national people. When the war ended, the soldiers returned to their home states. They still thought of themselves first as New Yorkers, or Virginians, or Marylanders.

Americans of 1789 were sharply divided on the need for a national government.



Many were afraid the new government would not survive. They feared the anarchy that would result if it failed. Others hoped it would fail. They wanted strong state governments, not a strong central government.

Also, in 1789, the American economy was improving after the destruction caused by the Revolutionary War. Agriculture, trade and shipbuilding were coming back to life. Roads, bridges and canals were being built.

The country's economy still had many problems, however. Two major issues had to be settled. One was the repayment of loans made to support the Revolutionary Army. The other was the creation of a national monetary system. Both issues needed quick action.

And before the new government could act, the old government still had work to do on other issues, like the question of a capital.

At the time the states approved the Constitution, the Continental Congress was meeting in New York City. And that was where the Congress decided to place the new government. Later, the capital would be moved to Philadelphia for a while. Finally, it would be established in Washington, DC, the District of Columbia.

Next, members of the Continental Congress had to decide when the states would choose a president. They agreed to March 4, 1789, the same day the Constitution would go into effect.

The states that ratified the Constitution chose electors to vote for a president. The result was not a surprise. They chose the hero of the Revolutionary War: George Washington. No one opposed the choice—except, perhaps, for George Washington himself.

Here are actors having an imaginary conversation between James Madison and George Washington. Madison is trying to persuade Washington that he should be the new nation’s first president.



“Oh sir, it must be you who serves as president. It is your influence that unites the states.”

“I can tell you honestly I do not want the honor. I am very much aware of my deficient education and the ten thousand embarrassments it will cause me in office. I would hope they could find a younger man. I want nothing more but to return to Mount Vernon and tend to my farming.”

“But, sir, if your country should need you?”

“If called I will serve.”

Washington learned of his election while at Mount Vernon, his home in Virginia. He left for New York where he was inaugurated on April 13.

Members of the new Congress were also elected on March 4.

One of the first things the Congress did was to re-open debate on the Constitution itself. Several states had set a condition for approving the document. They said a Bill of Rights, listing the rights of all citizens, must be added to the Constitution.

Yale Law School professor Akhil Reed Amar says one of the most important parts of the Bill of Rights is its source -- the people.

“In effect, it’s crowd-sourced. And we the people actually say, where are the rights? And we get this Bill of Rights because of that conversation.”

To many Americans, the Bill of Rights represents the heart and soul of the Constitution. Supreme Court Justice Clarence Thomas has said that when he reads the document, he gets chills.

“There was always this underlying belief that we were entitled to be a full participant in ‘We the people.’”

Just what is this Bill of Rights and what does it say?

The "Bill of Rights" is the name for the first 10 amendments to the Constitution.

The First Amendment deals with freedom of expression -- including, as Justice Clarence Thomas points out, freedom of religion.

“Your First Amendment is, what, Congress shall make no law respecting the establishment of religion or the free exercise thereof. In other words, stay out of it. Leave people alone when it comes to their religion.”

The First Amendment guarantees that religion and government will be separate. Congress cannot establish an official religion or interfere in the people's right to worship as they choose.

The First Amendment also protects other rights. Here is the full text:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

In other words, people have a right to gather peacefully and to make demands of the government.

Constitutional law expert Akhil Reed Amar says the idea of free expression can be found throughout the Bill of Rights.

“And even before there’s the text of freedom of speech, there’s the practice of freedom of speech. Five times the Bill of Rights uses the same phrase — “the people.” In the first and the second, and the fourth and the ninth, and the tenth amendments.”

Mr. Amar says he believes the Bill of Rights says “the people” so often because the document comes *from* the people.

The Second Amendment deals with guns. Here is what it says: "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed."

The Third Amendment says people may not be forced to let soldiers stay in their homes during peacetime.

The next five amendments protect peoples' rights in the justice system.

The Fourth Amendment protects people from unreasonable searches and seizures. It bars courts from approving warrants unless there is probable cause. And it says warrants should describe the place to be searched, and the persons or things to be seized.

The Fifth Amendment says people should not be tried for the most serious crimes unless a grand jury has first examined the evidence. It also bars people from being tried twice for the same offense. And it says people cannot be forced to give evidence against themselves.

The Fifth Amendment also says no one can lose their freedom, property or life "without due process of law." And it says the government cannot take people's property for public use without paying them a fair price.

The Sixth Amendment says people accused of crimes have the right to a fair and speedy public trial by a jury. The aim is to guarantee that people are not kept in prison for a long time unless a jury has found them guilty of a crime.

The Sixth Amendment also guarantees the right of the accused to be defended by a lawyer. It says they must be informed of the nature and cause of the charges against them. And it says they have the right to face and question their accusers.

The Seventh Amendment guarantees the right to a jury trial in civil cases. The Eighth Amendment bars "cruel and unusual punishments."

The Ninth Amendment provides protection for other rights not stated directly in the Constitution. And the Tenth Amendment says any powers not delegated to the national government belong to the states or to the people. The exceptions are any powers that the Constitution prohibits states from having.

So these first ten amendments make up the Bills of Rights. Later, says law professor Akhil Reed Amar, more amendments were added to the Constitution.

“As good as the founding was, the system kept getting better and better. We made amends for some of the flaws of the founders through a series of amendments, and that process continues today.”

The Bill of Rights and the other changes that came later helped decrease the power of the federal government.

“These amendments that — Prohibition aside — generally tend to expand liberty and equality, which is pretty striking that in general the amendments do that, and they don’t take us back.”

Because these amendments limited the powers of the federal government, many anti-Federalists ended their opposition to the new government. Many agreed to help with the job of building the new nation.

In all, 11 of the 13 states approved the Constitution before Washington was inaugurated as president. The last two states -- North Carolina and Rhode Island -- ratified it afterward.

President Washington wanted the best men -- Federalist or anti-Federalist -- to be in his administration. The new nation needed strong leadership, and George Washington provided it. That will be our story next time.

I'm Steve Ember, inviting you to join us again for THE MAKING OF A NATION -- American history in VOA Special English.