



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
Joel W. Solomon United States Courthouse
900 Georgia Avenue
Chattanooga, Tennessee 37402

BILL OF RIGHTS DAY

We recognize December 15 as Bill of Rights Day. President Franklin D. Roosevelt designated this day by proclamation in 1941 to observe and honor the ratification of the first ten amendments to the United States Constitution. But how did the Bill of Rights itself come to be?

During the American Revolution, the thirteen former British colonies—now “states,” or basically independent nations—came together under the Articles of Confederation for military and other collective purposes. But some of the leaders of the Revolution feared that the Articles of Confederation were too weak and risked letting powerful European nations invade the new states and take them over one by one. These leaders sought a “more perfect union” of the states to ward off European threats and address some of the domestic problems the Articles of Confederation were unable to correct. The result of these concerns was the drafting of the United States Constitution.

While the Constitution created a new national government that would rectify the deficiencies of the Articles of Confederation, there arose a fear that this new national government would abuse its powers to the detriment of the citizens. This fear resulted in a vigorous debate which jeopardized the ratification of the Constitution.

Supporters of the Constitution as drafted argued the new government only had the powers set out explicitly in the Constitution, so that fears of overreach were not realistic. Opponents argued the history of humankind shows that people with power tend to abuse their power, so just enumerating the government’s powers was not enough to safeguard the unenumerated rights of citizens and the states.

Ultimately, the two sides reached a compromise: the drafting of a set of specific limitations on the powers of the new government. These specific limitations would be amendments to the Constitution, specifically guaranteeing certain rights to the people and the states. With the assurance that these amendments would follow, the Constitution was ratified in June 1788. Twelve constitutional amendments were approved by the new Congress in September 1789. Ten were ratified by the eleven states required to make them effective on December 15, 1791. These ten amendments have become known as the Bill of Rights.

The Bill of Rights not only withdrew certain power from the government, but it also spelled out those fundamental rights that would no longer be subject to normal political processes. In

other words, these rights are held as so dear to our nation that only new Constitutional amendments may overturn them.

The Bill of Rights includes the right to peaceably assemble, the right to petition the government, the freedom of the press, the freedom of religion, the right to be free of unreasonable searches and seizures, the right to a jury trial, the right to assistance of counsel, and many more. These rights have served our nation well as a bulwark against abusive government. The Bill of Rights has also served as a model for other nations.

On Bill of Rights Day 2021, let us all give thanks for the wisdom of the framers of the Constitution and those who came before us in maintaining and defending these invaluable rights.

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