**James Madison Script, Bill of Rights Week 2016**

Greetings and Salutations, young ladies and gentlemen; Madam (if the teacher is female).

Might I beg your assistance with a problem? A perplexity, really. You see, I am unable to explain my presence with you this day. When I took to my bed last evening it was Tuesday, the thirteenth day of December, in the year of our Lord, seventeen hundred and ninety one. When I awoke this morning, I soon discovered to my great surprise that, while it was yet Wednesday, December 14th, as I expected, it was the year,… what is the year again? (Informed it is the year 2016) Two thousand and sixteen? This is astonishing! Incredible!

Even more incredible, I had been transported, through some bit of sorcery or providence, I know not which, from my room in Philadelphia to the vicinity of our great battle of York Town, where a mere ten years ago, or (calculates in his head) two hundred and thirty-five years ago from your perspective, General Washington secured our victory in the late war. Mrs. House will be sorely vexed if I do not return in time for the evening meal.

But please excuse my discourtesy, I have not properly introduced myself. I am James Madison, son of James Madison, Senior, of Orange County, Virginia. I represent the Fifth Congressional District of Virginia in the second Congress to convene under our new Constitution of the United States of America.

I know not how long Providence will keep us together this morning, so perhaps I should take what moments do we have to tell you of some great news which arrived just yesterday by post rider, It was a letter, from my friend, Mr. Thomas Barbour, serving in the Virginia Assembly, in Richmond.

Mr. Barbour announced that on December the 5th (I speak now of 1791), the Virginia House of Delegates agreed to ratify certain articles of amendment to the new Constitution. Even more exciting, Mr. Barbour relays that the Senate is scheduled to take up the same matter on Thursday, that being the 15th day of December. Should the Senate concur, as I calculate, we shall have the necessary ratifications of three-quarters of the fourteen states, that being eleven, necessary to carry these amendments, or some part of them, into effect.

Articles numbered one and two, it appears, will not receive the necessary eleven ratifications, whilst Articles numbered three through twelve likely will. This will make Article 3 become the First Amendment and Article 12 the Tenth Amendment to your new Constitution.

You understand the significance of this, do you not? This will be the first time we will have amended our new Constitution since it was ratified just three years ago... well, a long time ago from your perspective. As for myself, my work to bring these amendments to life, which began in 1789, shall have reached a happy conclusion.

I must own that I was at first reluctant to support a statement of rights, I even saw some danger in the act. There was reason to fear that a positive declaration of some of the most essential rights could not be obtained in the requisite latitude (break this down for the middle-schoolers). Further, we had designed, with great care, a government of limited and enumerated powers, where trespass onto the rights of the people should not be expected.

Others, however, painted a different gloss. “The essence of Government is power; and power,” they said, “lodged as it must be in human hands, will be ever liable to abuse,” so, in their view, additional safeguards were required.

At the convention in 1787, the subject of a bill of rights did not even arise until, I believe it was the 12th day of September, five days before we adjourned. Colonel Mason, of our Virginia delegation, took the floor and stated that he “wished the plan had been prefaced with a Bill of Rights, that it would give great quiet to the people to have one.” With the aid of the State declarations, he said, “such a bill might be prepared in a few hours.” Colonel Mason, you may recall, was the principal author of the Virginia Declaration of Rights of 1776, a work in which I played a minor role as well, and thus he was eminently qualified to undertake such a task.

Mister Roger Sherman of Connecticut then rose to speak against the measure. He was as for securing the rights of the people, to be sure. He noted, however, that the State Constitutions were not repealed by our new Constitution; and, being in force, would be sufficient. The motion for a committee to draft a Bill of Rights failed and we went on to address other matters.

After the Constitution was signed, on Monday, the 17th day of September, we dispatched a copy to the Congress, then meeting in New York; and I sent a copy to my friend Mr. Thomas Jefferson. You may recall Mr. Jefferson was then in France, serving as our ambassador. I was surprised to receive his quick reply stating that, whilst he approved of much of our design, the omission of a bill of rights was a matter of great concern. I recall he had wrote: "A bill of rights is what the people are entitled to against every government on earth, general or particular; and what no just government should refuse."

I had great respect, and still do of course, for the opinion of my friend and neighbor, yet I was not convinced, and I explained my reservations to Mr. Jefferson in reply. Over the course of several letters, Mr. Jefferson expanded upon his reasoning, yet I remained firm that such an addition was unnecessary. Repeated violations of these “parchment barriers” had been committed by overbearing majorities in every State. Besides, to amend the document at this juncture would have required, or so I thought, yet another convention, and this would open the entire work to further change, change I was certain would not be harmonious with our initial efforts.

It was not until the following year, as we assembled in Richmond to consider whether Virginia should ratify the new Constitution, that I began finally to see the political necessity, if not the philosophical need, of a Bill of Rights.

Mr. Patrick Henry was most persuasive in the convention, I still recall his thunderous voice, and he nearly turned the tide against ratification; but, in the end, he withdrew his opposition when it appeared the majority of the delegates were for it. And thus Virginia ratified the new Constitution on the 27th day of June, 17 and 88. The delegates insisted on accompanying our instrument of ratification with a list of recommended articles and amendments, which were quickly prepared, and transmitted to the President of the United States.

(on noticing the Pocket Constitutions each student holds) I see each of you have been provided a small pamphlet, and I spy a familiar likeness on its cover, might I be honored with a copy?

(holds up the cover) This appears to be a likeness of my friend General Washington. You may recall that he was elevated to the presidency of the convention; and now serves as the President of these United States. A more distinguished citizen one will not find.

He seems to be extending a pen to you, the viewer, might there be a reason for this? (JM then notices the back cover and reads the statement out loud, which the bearer may sign, indicating that they have read and will support the Constitution, joining those who did so on Sept 17, 1787.)

(peruses the contents) I see that the printer’s art has made great strides. The Constitution in 1787 required four large sheets of parchment. Today it seems to easily fit the pocket. I assume every citizen is issued one of these and carries it with him at all times? No? Hmmm. This is a matter of concern.

(the teacher hands Madison a sheet of paper, accompanied by: “Mr. Madison, perhaps you should also see this;” Madison studies the paper for a moment)

This, ladies and gentlemen (holding up the paper), is of even greater concern; A poll has apparently been taken of Americans of your time. This paper records that, of every 100 Americans, 39 are unable to name any of the rights secured by the First Amendment. Sixty-four cannot name the three branches of their government. Seventy-seven percent cannot name even one of the two senators who represent their state in the Senate. This is distressing! You must remedy this!

As Mr. Jefferson wrote, “if a nation expects to be ignorant and yet remain free, it expects what never was and never will be.” A well instructed people alone can remain a free people. If you remain ignorant of your Constitution, your government shall eventually fail, like the Achaean League.

(JM notices the Declaration of Independence in the back) Ah, I see the printer has included a copy of another document, Mr. Jefferson’s Declaration. Perhaps we might tie some cords together. We are speaking this day of rights and a bill of rights; perhaps we should define our terms. What is a right? Where do your rights come from? What is their source?

(Discuss the distinction between government-provided, alienable rights (i.e. voting) and unalienable rights endowed by the Creator (i.e. freedom speech, freedom of religion, freedom of conscience). Then reiterate that Jefferson says government is instituted among men to secure all of your rights.)

(JM notices Amendments 11-27) This is interesting, there are now twenty-seven amendments, you have added more. Well done. We knew our Constitution was not perfect, but it was the best that could be obtained at the time. It would require “refreshment” at times; it is good to see you have done so.

I also notice familiar words in Amendment 27. This, you will find, was the original 2nd Article which was not ratified in 1791. I see here it was ratified on the 7th of May 1992, 2001 years late. I’ll wager there is an interesting story hidden here. You should investigate it.

Might I take this copy with me to study later? Thank you for your kindness, I shall not forget it.

As we left the convention hall on the 17th day of September in 1787, Dr. Franklin encountered a young lady. She was handsomely attired and a fetching creature. She asked what form of government we had created. Dr. Franklin replied: “A Republic, Madam, if you can keep it.” I thought the sentiment most sublime. Keeping a republic alive and vigorous requires the actions of all its citizens. If you mean to be your own governors, you must arm yourselves with the power which knowledge gives.

By the by, you may note that good Doctor Franklin did not reply by saying: “A democracy, Madam, if you can keep it.” As I observed in Federalist number ten: “democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security, or the rights of property; and have, in general, been as short in their lives as they have been violent in their deaths."

And thus we have given you a republic instead.

On the third day of July, 1776, Mr. John Adams wrote a letter to his wife Abigail. In it he expressed his wish that we would celebrate the second day of July, the day Mr. Richard Henry Lee’s resolution for independency passed, with, and I quote Mr. Adams: “pomp and parade, shows, games, sports, guns, bells, bonfires and illuminations, from one end of this continent to the other, from this time forward forever,” and I assume that you still celebrate the 2nd day of July in this manner, do you not?. You celebrate the fourth of July instead? Oh, I see, the day we approved the words of Mr. Jefferson’s declaration. It is of no matter, the sentiment remains the same, and you do well to celebrate this.

Perhaps we do not require “bonfires and illuminations” to celebrate your Bill of Rights, but I would be honored if you would take a moment this Thursday to reflect upon your rights, and the pains which many fine gentlemen, and ladies, took to make those rights secure for you.

I see I have taken a great deal of your time, which I assume to be as precious as mine. Allow me to summarize thusly: your rights are your most precious property, and the right of conscience, the most precious of all. Government is instituted to secure those rights against the predations of others. If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself. And this is the purpose of your Bill of Rights.

So I will leave you, young ladies and gentlemen, with the words of my fellow laborer on the Federalist project and my friend, Mr. John Jay, who said: "Every member of the State ought diligently to read and to study the constitution of their country and teach the rising generation to be free. By knowing their rights, they will sooner perceive when they are violated, and be the better prepared to defend and assert them." Are you not the rising generation? Will there not come one behind you?

That is all I ask. I remain your humble servant (bows). And now, might you have questions of me?

Thank you young ladies and gentlemen, I perceive you to be patriots all.

(at the very end) Could someone inform me as to the departure time for the next coach to Philadelphia?