

Where did we get certain rights?

Standard 10.2.2: List the principles of the Magna Carta, the English Bill of Rights (1689), the American Declaration of Independence (1776), the French Declaration of the Rights of Man and the Citizen (1789), and the U.S. Bill of Rights (1791).

Democratic Developments in England



Legacy: English citizens were guaranteed the rule of law, parliamentary government, individual liberties, and a constitutional monarchy

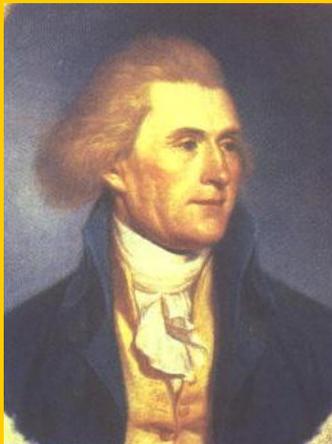
Famous Quotes

“All, too, will bear in mind this sacred principle, that though the will of the majority is in all cases to prevail, that will, to be rightful, must be reasonable; that the minority possess their equal rights, which equal laws must protect, and to violate which would be oppression.”

— **THOMAS JEFFERSON**

“Government should be formed to secure and to enlarge the exercise of the natural rights of its members; and every government, which has not this in view, as its principal object, is not a government of the legitimate kind.”

— **JAMES WILSON**



Rights Attitude Inventory

- **Directions:** Number the following rights in order of importance from 1 to 10 — with 1 being most important. In other words, place a 10 next to the right you could give up most easily, and a 1 next to the right you cannot imagine living without.

- _____ 1. Freedom of speech
- _____ 2. Freedom of religion
- _____ 3. Right to a jury trial
- _____ 4. Freedom of the press
- _____ 5. Freedom from cruel and unusual punishments
- _____ 6. Right to keep and bear arms
- _____ 7. Right to control your own property
- _____ 8. Freedom of assembly
- _____ 9. Freedom from quartering troops in your home
- _____ 10. Freedom from unreasonable search and seizures

English Bill of Rights (1689)

- Basic Tenants

- Englishmen possess certain civil and political rights that could not be taken away. These included:
 - Freedom from royal interference with the law.
 - Freedom from taxation by royal prerogative, without agreement by Parliament.
 - Freedom to petition the King
 - Freedom from a peace-time standing army, without agreement by Parliament.
 - Freedom (for Protestants) to bear arms for self-defense, as allowed by law.
 - Freedom of speech in Parliament.
 - Freedom from cruel and unusual punishments, and excessive bail.
 - Freedom from fines and forfeitures without trial.
- Certain acts of James II were specifically named and declared illegal on this basis.
- The flight of James from England in the wake of the Glorious Revolution amounted to abdication (giving up) of the throne.
- Roman Catholics could not be king or queen of England. The Sovereign was required to swear a coronation oath to maintain the Protestant religion.
- William and Mary were the successors of James
- Succession should pass to the heirs of Mary, then to Mary's sister Princess Anne of Denmark and her heirs, then to any heirs of William by a later marriage.

The Bill of Rights 1791

Amendment	Subject
1st	Guarantees freedom of religion, of speech, and of the press; the right to assemble peacefully; and the right to petition the government
2nd	Guarantees the right to possess firearms in a state militia
3rd	Declares that the government may not require people to house soldiers during peacetime
4th	Protects people from unreasonable searches and seizures
5th	Guarantees that no one may be deprived of life, liberty, or property without due process of law
6th	Guarantees the right to a trial by jury in criminal cases
7th	Guarantees the right to a trial by jury in most civil cases
8th	Prohibits excessive bail, fines, and punishments
9th	Declares that rights not mentioned in the Constitution belong to the people
10th	Declares that powers not given to the national government belong to the states or to the people

Declaration of the Rights of Man and of the Citizen (1789)

- Was one of the fundamental documents of the French Revolution
 - Defined a set of individual rights and collective rights of the people
 - It sets forth fundamental rights not only of French citizens but acknowledges these rights to all men without exception
 - Based on the U.S. Declaration of Independence and the English Bill of Rights
 - “Article III-The principle of any sovereignty resides essentially in the Nation. Nobody, no individual can exert authority which does not emanate expressly from it.” (Popular sovereignty and equal opportunity)
 - “Article VI- All the citizens, being equal in the eyes of the law, are equally admissible to all public dignities, places, and employments, according to their capacity and without distinction other than that of their virtues and of their talents.” (Rule of law, Contrasts the Ancien Regime idea of being born to a certain class that has special rights)
 - All citizens are to be guaranteed the rights of “liberty, property, safety, and resistance against oppression”
 - Equality of taxation, provide for the common defense, freedom of speech and of the press, and a slightly weaker guarantee of freedom of religion.
 - Asserts the rights of property, while reserving a public right of eminent domain
 - Provides against ex post facto application of criminal law and puts forward such principles as presumption of innocence.

Directions: Fill in the chart, placing check marks where certain rights were guaranteed by each document. Then fill in the chart below with the purpose of each document.

	RIGHT	RIGHT	RIGHT	RIGHT	RIGHT	RIGHT	RIGHT
Bill of Rights (1791) Reference	First: religion, speech, press, assembly, petition	Second: keep and bear arms	Third: freedom from quartering troops	Fourth: search and seizure rights	Fifth: due process rights	Sixth: fair trial rights	Eighth: freedom from cruel and unusual punishment
Magna Carta (1215)							
Petition of Right (1621)							
Mass. Body of Liberties (1641)							
Declaration of Right and Toleration Acts (1689)							
Right violated in colonies?							

Document	Purpose
Two Treatises of Government (1690)	
The Declaration of Independence (1776)	
The United States Constitution (1789)	

Magna Carta

- Contract between Kings and Subjects
- Freedom of the Church
- Due Process of Law (no arbitrary punishment)
 - Trial by jury of one's peers
- Limited Government

English Bill of Rights

- Englishmen possess certain civil and political rights that could not be taken away
- Roman Catholics could not be the king or queen of England

Declaration of the Rights of Man and of the Citizen

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Declaration of Independence

- Dissolved the political connection between Great Britain and U.S.
 - Break up letter
 - Listed how British had violated rights of the people
- Natural Rights/Unalienable Rights
 - Life, Liberty, Pursuit of Happiness
- Consent of the Governed
- Right of the people to alter or abolish their government
 - Should not be changed for light and transient causes

U.S. Bill of Rights

- Limited government
- Founders thought that a separate list of rights were needed to protect individual and states' rights