

# Ideas Behind the Constitution

(Chapter 7/Section 3)

## The Lessons of Rome's Republic

- ☆ First, Ancient Greece defined **democracy** as “government by the people.”
- ☆ At first, Rome created a **republic**, a government in which citizens ruled themselves through elected representatives (this was the *Roman Republic*).
- ☆ Follow the good example of the Roman Republic—emphasize and practice the civic virtues of **independence** and **public service**.
- ☆ **WARNING!!** From the fall of the *Roman Empire*: Produce **educated and dedicated citizens** who honor the virtues of independence & public service.

## Britain's Traditions of Freedoms

- ☆ **Magna Carta (1215)**—stated that the English monarchs had to obey the law, and that citizens had basic rights to private property and to a trial by jury.
- ☆ **English Bill of Rights (1689)**—increased rights of Englishmen to include regular elections of Parliament and the right to bear arms.
- ☆ **Habeas corpus**—from the English Bill of Rights, that no person can be held in prison without being charged with a crime.

## The American Experience

- ☆ A long tradition of **representative government** beginning with the **Virginia House of Burgesses (1619)**, and a **history of written documents** that clearly define the powers and limits of government, including the **Mayflower Compact (1620)** and the written charters (constitutions) of each of the 13 colonies.
- ☆ **Declaration of Independence (1776)**—the written grievances against the English monarch (King George III) and to prevent such abuses in the new government.
- ☆ **Familiarity with writing constitutions**—including state constitutions and the **Articles of Confederation (1777)**.

## Teachings of the Enlightenment

- ☆ According to **John Locke**, all people had **natural rights** to life, liberty, and property. (Property later changed by Jefferson to “pursuit of happiness” in the Declaration of Independence.)
- ☆ (John Locke) Government is an **agreement** between the ruler and the ruled—to enforce the laws and protect the people (known as the Social Contract).
- ☆ **Jean Rousseau** stated that in an Ideal Society the people form a community and make a contract with each other, not with the ruler.
- ☆ **Baron de Montesquieu** stressed the importance of the **rule of law**—government’s powers should be clearly defined and divided up.
- ☆ Montesquieu also suggested the **separation of powers** (three branches of government) to prevent any one person or group from gaining too much power.