



# Ideas Behind the

# Constitution

Chapter 7 / Section 3

# First Things First...

Ancient Greece  
defined

**democracy**

as “government  
by the people.”

# The Lessons of Rome's Republic

Create a **republic**, a government in which citizens rule themselves through elected representatives.

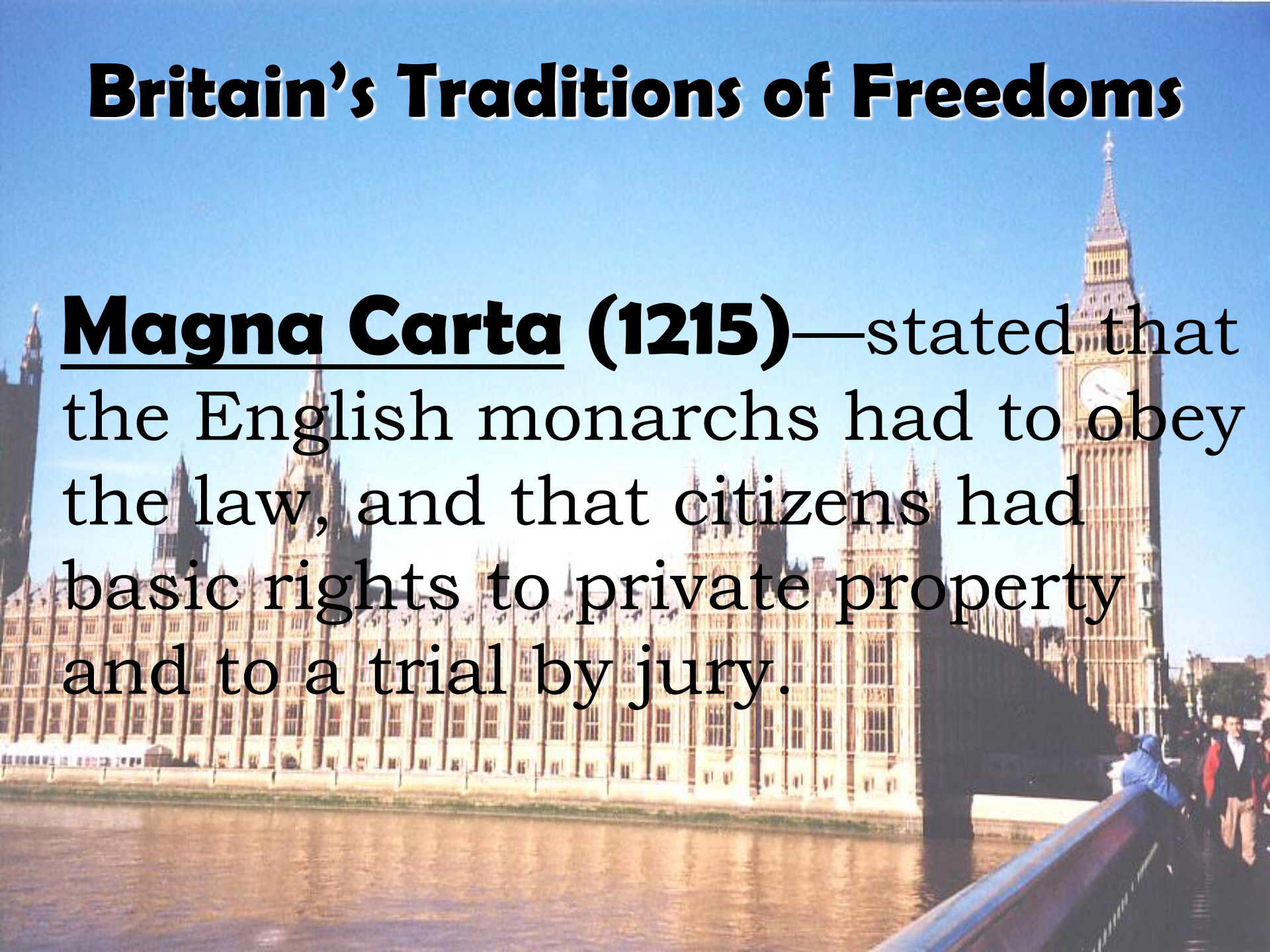
Follow the **Roman Republic** example—emphasize the virtues of **independence** and **public service**.

# The **WARNINGS** of Rome's Empire

Heed the **WARNING** from the **fall of Rome**—produce educated and dedicated citizens who honor independence and public service.

# Britain's Traditions of Freedoms

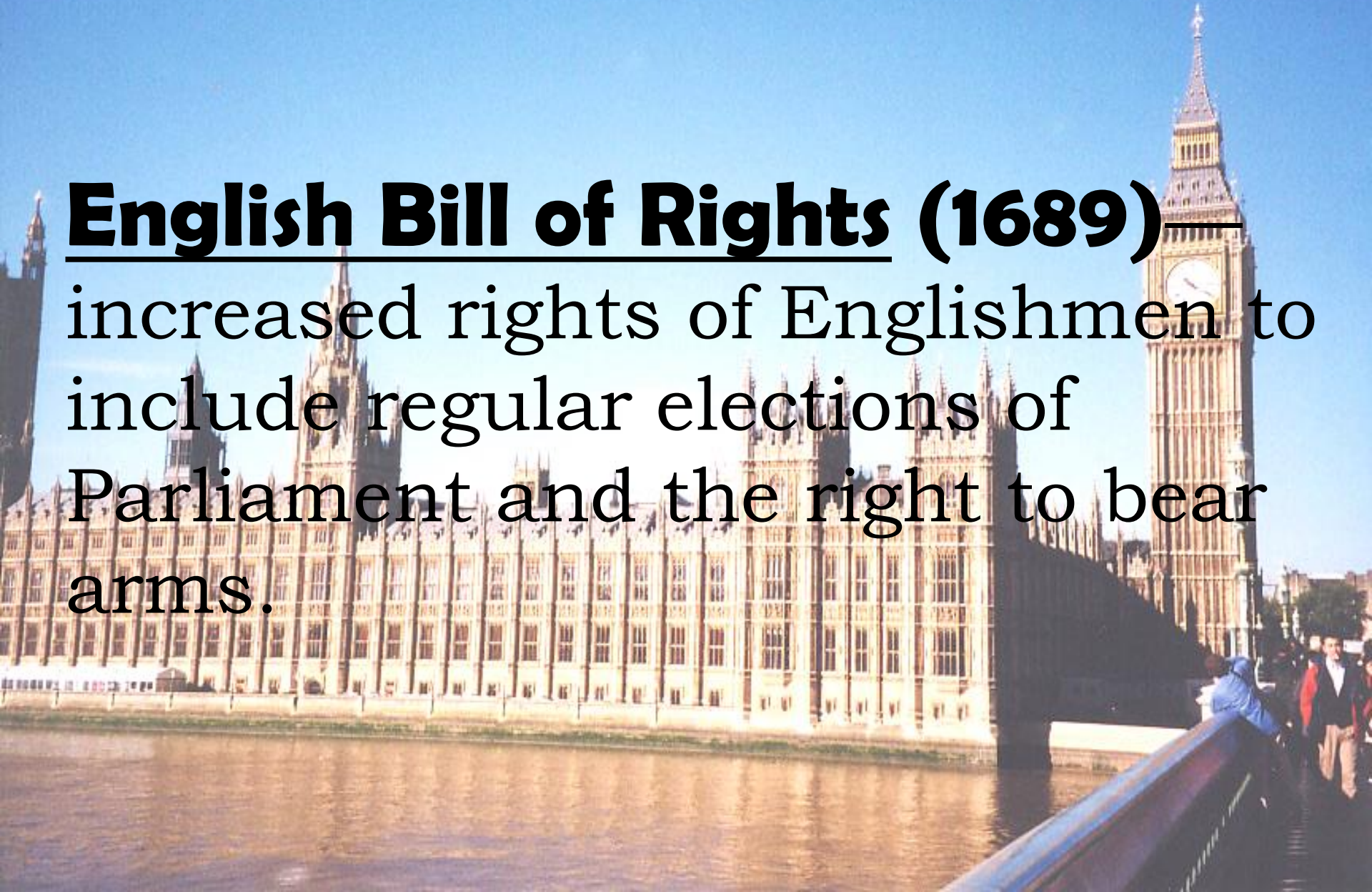
**Magna Carta (1215)**—stated that the English monarchs had to obey the law, and that citizens had basic rights to private property and to a trial by jury.



# Britain's Traditions of Freedoms

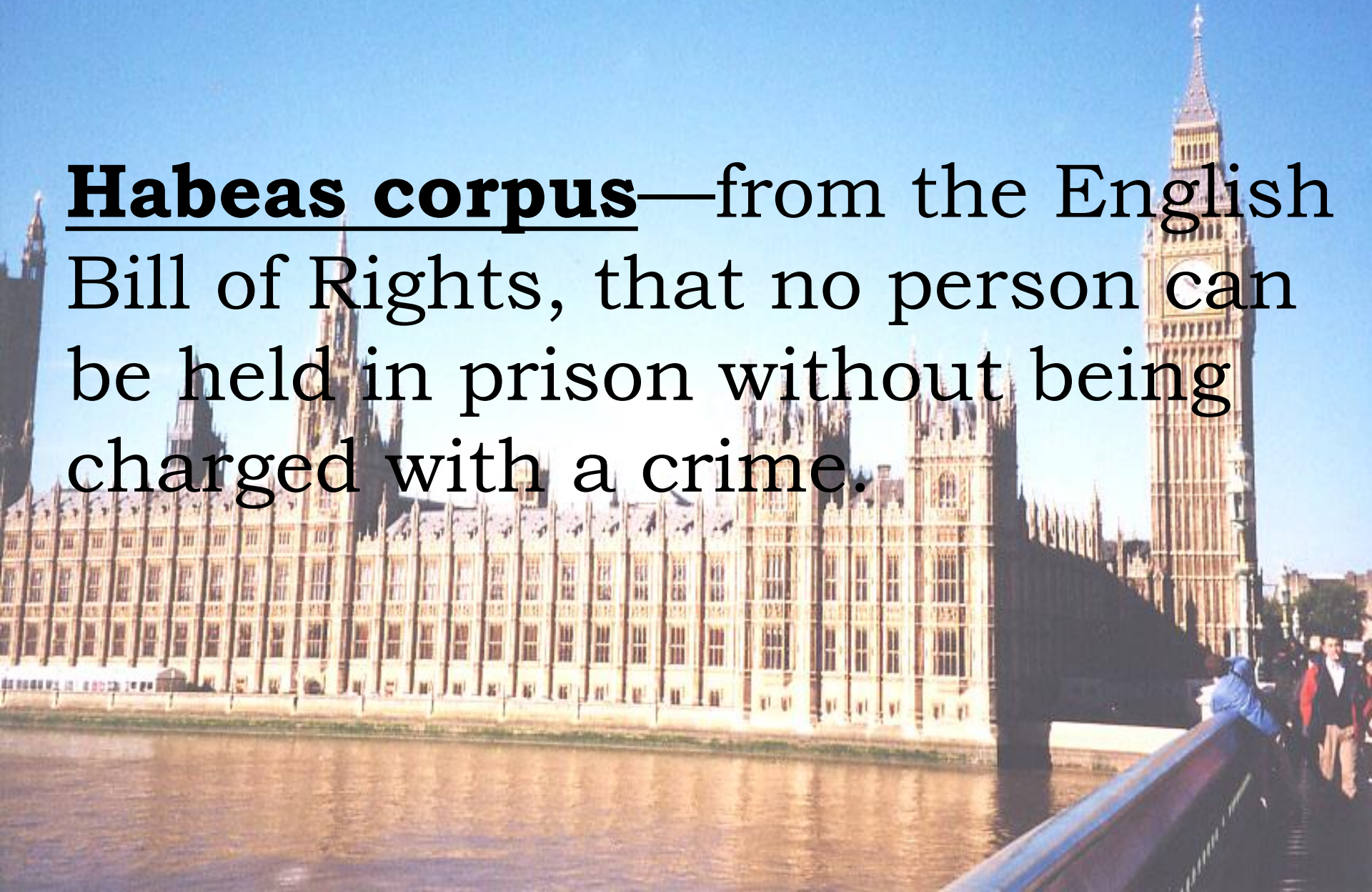
## English Bill of Rights (1689)—

increased rights of Englishmen to include regular elections of Parliament and the right to bear arms.



# Britain's Traditions of Freedoms

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.



# **The American Experience**

## **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 [A/C] (1777).**

# **Follow the Paper Trail...**

**Let's see if you can name  
each of the following items?**

**Follow the Paper Trail...**

# Magna Carta

**1215... King not above the law**



**Follow the Paper Trail...**

# **Virginia House of Burgesses**

**1619... First representative assembly**

**Follow the Paper Trail...**

# Mayflower Compact

**1620... First charter of self-government**

## SESSIO SECUNDA.

# Follow the Paper Trail...

C A P. I. (35.)

An Act for a Grant to their Majesties of an Aid of two Shillings in the Pound for one Year. EXP.

C A P. II. (36.)

An Act declaring the Rights and Liberties of the Subject, and settling the Succession of the Crown.

# English Bill

WHEREAS the late King *James* the Second, by the Assistance of divers evil Counsellors, Judges, and Ministers employed by him, did endeavour to subvert and extirpate the Protestant Religion, and the Laws and Liberties of this Kingdom.

# of Rights

1. By assuming and exercising a Power of suspending with and dispensing of Laws, and the Execution of Laws, without Consent of Parliament.
  2. By granting and causing to be executed, in several Parts of the Kingdom, a Commission or Warrant under the Great Seal of Great Britain, for the more effectual calling, choosing, appointing, and placing of *Commissioners* for the *Execution of the Statute* in several Parts of the Kingdom, contrary to the Statute in that behalf made, and in other Manner, than the same was granted by Parliament.
  3. By raising and keeping a Standing Army within this Kingdom in Time of Peace, without Consent of Parliament, and quartering Soldiers contrary to Law.
  4. By causing several good Subjects, being Protestants, to be disarmed, at the same Time when Papists were both armed and employed, contrary to Law.
  5. By violating the Freedom of Election of Members to serve in Parliament.
  6. By Prosecutions in the Court of King's Bench, for Matters and Causes cognizable only in Parliament; and by divers other arbitrary and illegal Courses.
  7. And whereas of late Years, partial, corrupt, and unqualified Persons, have been returned and served on Juries in Trials, and particularly divers Persons in Trials for High Treason, which were not Free-born Englishmen.
  8. And whereas the late King has been pleased to grant and commission an Office of *Secretary* for the better Execution of the Laws made for the Liberty of the Subjects.
  9. And excessive Fines have been imposed; and illegal and cruel Punishments inflicted.
  10. And several Grants and Promises made of Fines and Forfeitures, before any Conviction or Judgment against the Persons, upon whom the same were to be levied.
- All which are utterly and directly contrary to the known Laws and Statutes, and Freedom of this Realm.

1689... Increased rights to include arms

IN CONGRESS, JULY 4, 1776.  
**Follow the Paper Trail...**

BY THE REPRESENTATIVES OF THE  
UNITED STATES OF AMERICA,  
IN GENERAL CONGRESS ASSEMBLED.

# Declaration of Independence

W H E N in the Course of human Events, it becomes necessary for one People to dissolve the Political Bands which have connected them with another, and to assume among the Powers of the Earth, the separate and equal Station to which the Laws of Nature and of Nature's God entitle them, a decent Respect to the Opinions of Mankind requires that they should declare the causes which impel them to the Separation.

When these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness, that Governments are instituted among Men, deriving their just Powers from the Consent of the Governed, that whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its Foundation on such Principles, and organizing its Powers in such Manner, as shall seem to them to be most likely to effect their Safety and Happiness. Indeed, if all the Governments of the Earth were now to be dissolved, and the People to be re-created, they would still be bound to the same Principles, and would still be entitled to the same Rights. It is the Duty of the People to support the Government, so long as it is consistent with the Principles of Liberty and Justice; but when a long Train of Abuses and Usurpations, pursuing invariably the same Object, evinces a Design to reduce them under absolute Despotism, it is their Right, it is their Duty, to throw off such Government, and to provide new Guards for their future Security. Such has been the patient Sufferance of these Colonies; and such is now the Necessity which constrains them to alter their former Systems of Government. The History of the present King of Great-Britain is a History of repeated Injuries and Usurpations, all having in direct Object the Establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid World.

He has refused his Assent to Laws, the most wholesome and necessary for the public Good.  
He has forbidden his Governors to pass Laws of immediate and pressing Importance, unless suspended in their Operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to assent to Laws for the Relief of large Tracts of our most valuable Lands, which he had by his Patents granted to the Colonies; and he has endeavoured to bring on the Colonies a Taxation of Trade, and Commerce, without their Consent.  
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He has refused to assent to Laws for the Relief of large Tracts of our most valuable Lands, which he had by his Patents granted to the Colonies; and he has endeavoured to bring on the Colonies a Taxation of Trade, and Commerce, without their Consent.

He has endeavoured to prevent the Population of these States; for that Purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their Migrations hither, and raising the Conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to Laws for establishing Judiciary Powers.

He has made Judges dependent on his Will alone, for the Tenure of their Offices, and the Amount and Payment of their Salaries.

He has erected a Multitude of new Offices, and sent hither Swarms of Officers to harass our People, and eat out their Substance.

He has kept among us, in Times of Peace, Standing Armies, without the Consent of our Legislatures.

He has affected to render the Military independent of and superior to the Civil Power.

He has combined with others to subject us to a Jurisdiction foreign to our Constitution, and unacknowledged by our Laws; giving his Assent to their Acts of pretended Legislation:

For quartering large Bodies of Armed Troops among us:

For protecting them, by a mock Trial, from Punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all Parts of the World:

For imposing Taxes on us without our Consent:

For depriving us, in many Cases, of the Benefit of Trial by Jury:

For abolishing the System of Writs, which is the Foundation of the British Constitution, and for depriving us of the Rights of British Subjects:

For suspending our own Legislatures, and declaring us out of his Protection and waging War against us:

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our Seas, ravaged our Coasts, burnt our Towns, and destroyed the Lives of our People.

He is, at this Time, transporting large Armies of foreign Mercenaries to compleat the Works of Death, Desolation, and Tyranny, already begun with circumstances of Cruelty and Perfidy, scarcely paralleled in the most barbarous Ages, and totally unworthy the Head of a civilized Nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the Executioners of their Friends and

1776... Foundation of freedom / world

No. 1.

Ex: H. S. L.

25

A R T I C L E S

U F

Follow the Paper Trail...

Confederation

Articles of

Perpetual Union

Confederation

S T A T E S

O F

NEW HAMPSHIRE, MASSACHUSETTS BAY, RHODE ISLAND, AND PROVIDENCE PLANTATIONS,  
CONNECTICUT, NEW YORK, NEW JERSEY, PENNSYLVANIA, DELAWARE, MARYLAND,  
VIRGINIA, NORTH CAROLINA, SOUTH CAROLINA, AND GEORGIA.

1777... First American constitution

W I L L I A M S B U R G:

Printed by ALEXANDER PURDIE.



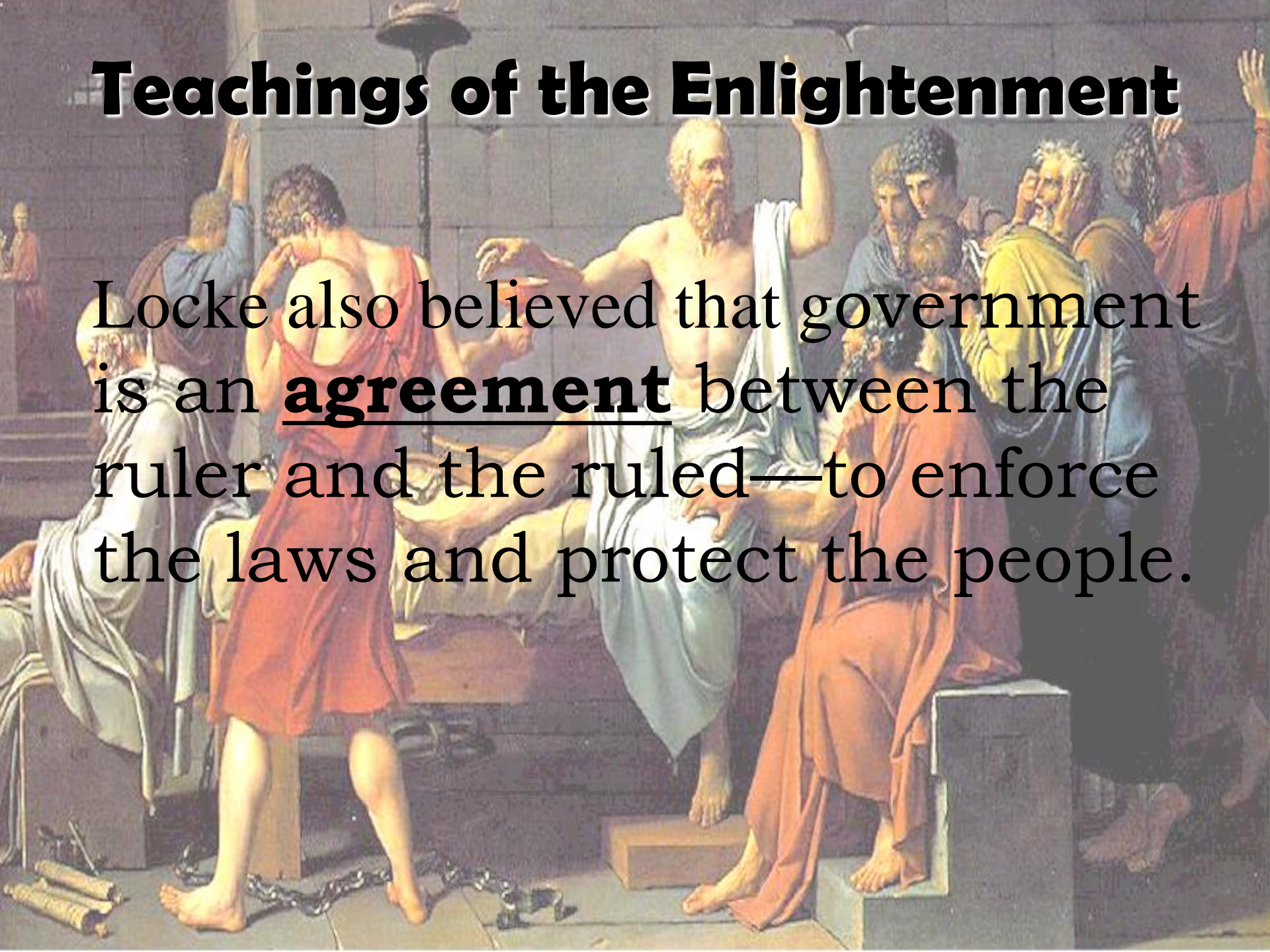
# Teachings of the Enlightenment

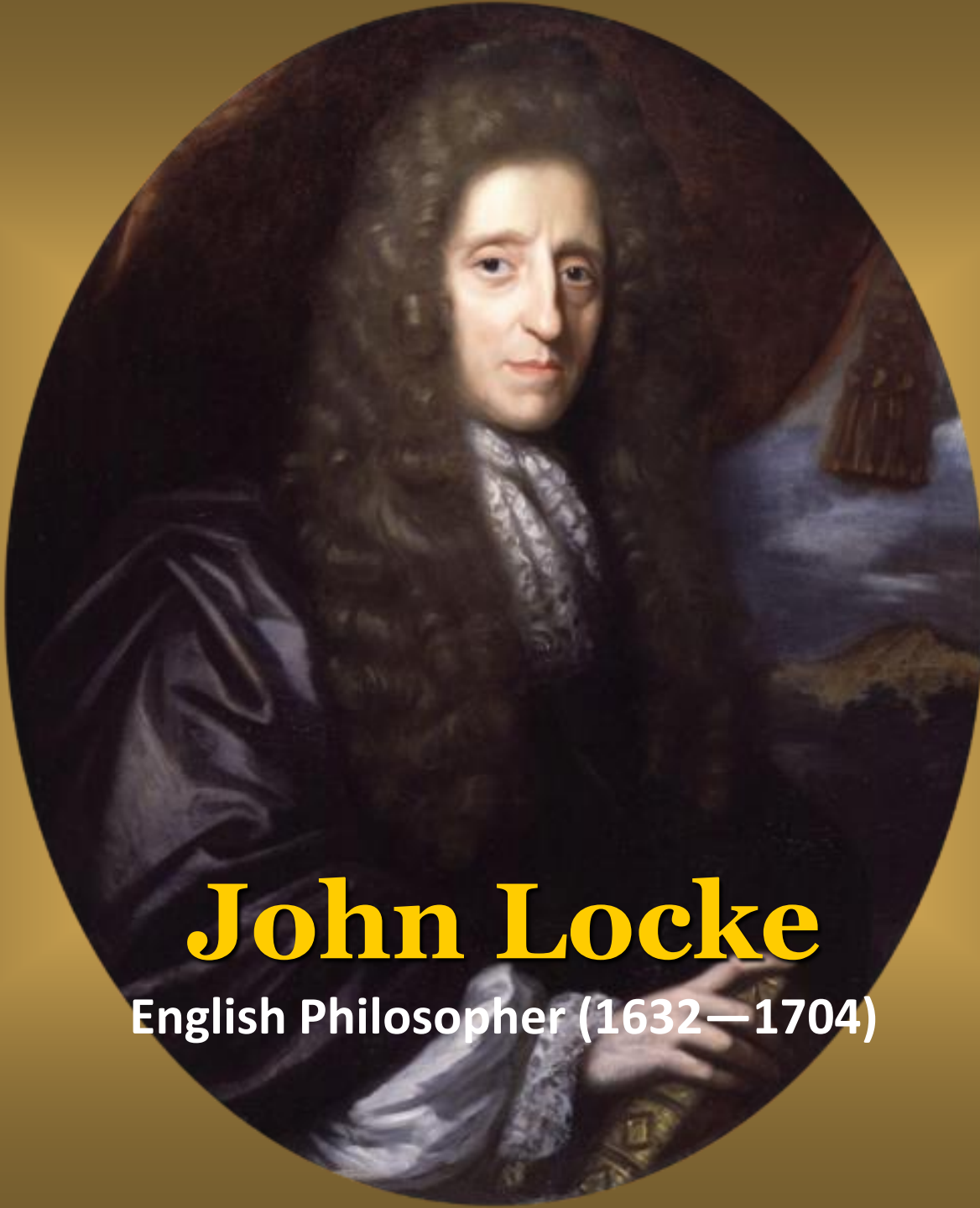


According to John Locke, all people had natural rights to life, liberty, and property. (Property later changed by Jefferson to “pursuit of happiness” in the Declaration of Independence.)

# Teachings of the Enlightenment

Locke also believed that government is an agreement between the ruler and the ruled—to enforce the laws and protect the people.





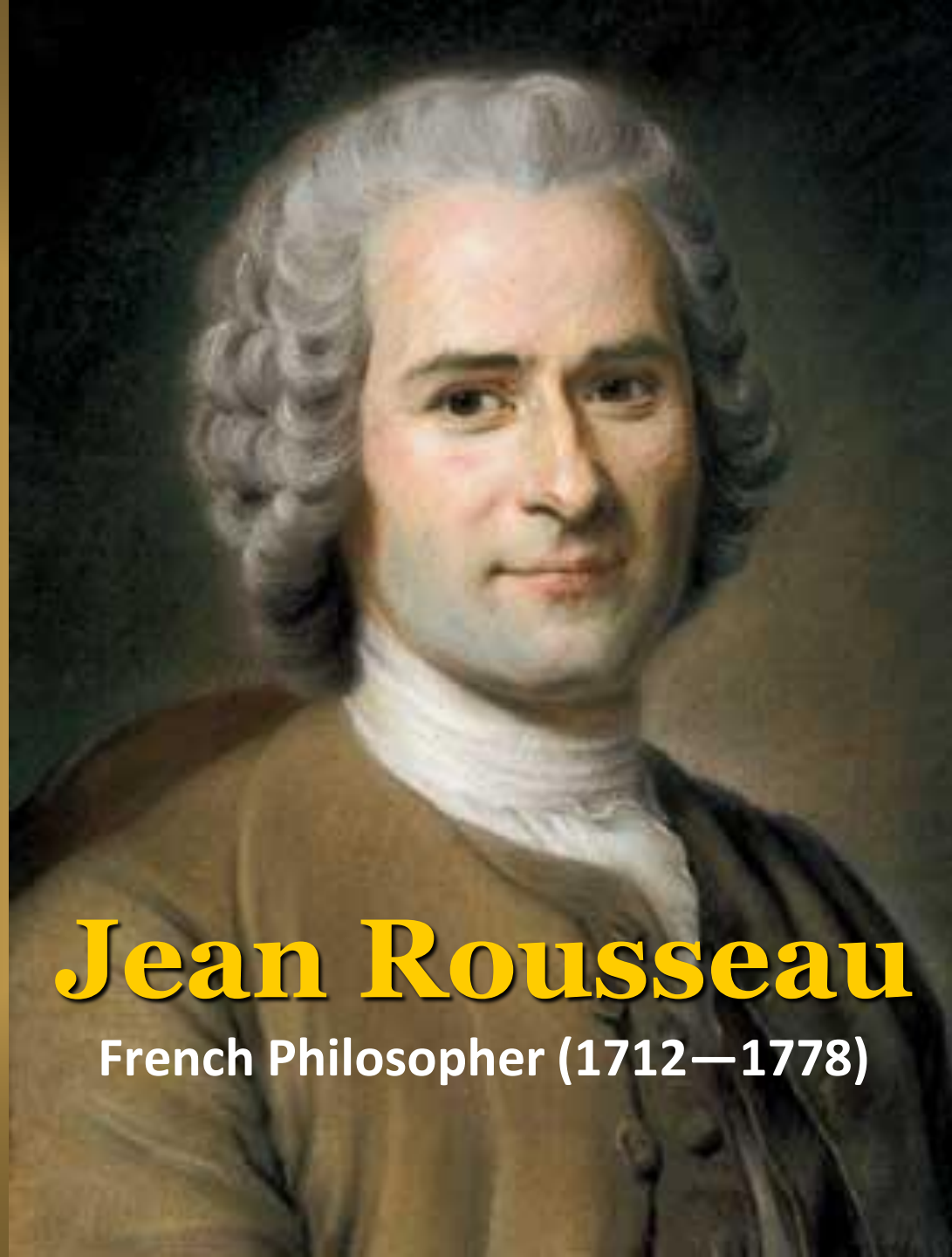
# John Locke

English Philosopher (1632—1704)

# Teachings of the Enlightenment



Jean Rousseau stated that in an Ideal Society the people form a community and make a contract with each other, not with the ruler.



# Jean Rousseau

French Philosopher (1712—1778)

# Teachings of the Enlightenment



**Baron de Montesquieu**

stressed the importance of the **rule of law**—government's powers should be clearly defined and divided up.

# Teachings of the Enlightenment



Montesquieu also suggested the **separation of powers** (found in our **three branches of government**) to prevent any one person or group from gaining too much power.



# Baron de Montesquieu

French Philosopher (1689—1755)



