

VIRGINIA DECLARATION OF RIGHTS, 1776

LEVEL

Secondary

GUIDING QUESTION

How were the rights of colonial Virginians, as stated in the Virginia Declaration of Rights, addressed in the Declaration of Independence?

VIRGINIA STANDARDS AND HISTORICAL SKILLS

SOL: USI.5d, USI.6a,b, USI.7b; VUS.4e, VUS.5a

Analyzing and interpreting primary sources; questioning and using critical thinking skills; comparing and contrasting.

LESSON OVERVIEW

The Virginia Declaration of Rights was written by George Mason in 1776 and introduced at the Virginia Convention in Williamsburg. It was unanimously adopted on June 12, 1776, and went on to influence the writing of the Declaration of Independence and the U.S. Bill of Rights. In this lesson, students will analyze excerpts from the Virginia Declaration of Rights and compare them with elements of the Declaration of Independence to evaluate the concepts of democracy and self-government found in each.

MATERIALS AND PREPARATION

- [Two sets of primary source excerpts per pair of students \(Sets A and B\)](#), printed on cardstock and cut out (It is recommended to print the two sets on two different colors to help students differentiate between the two documents)
- [Recording of the Virginia Declaration of Rights](#) with [transcript](#)

PROCEDURE

Warm up/Staging the Question

1. Have students engage in a Think-Pair-Share activity in groups of 2-3, then discuss as a class.
 - What rights do you value most?
 - What rights do you think colonists valued in 1770s America?
2. Distribute text copies of the [Virginia Declaration of Rights](#) to students and play the [audio recording](#). Have students highlight excerpts that sound familiar or that pique their interest.
3. Have students compare their highlighted excerpts with other classmates, then have students share with the class what aspects of the document were familiar to them.

Main Activity

1. Now that students are familiar with the Virginia Declaration of Rights, they will compare and contrast with the Declaration of Independence. With a partner, students will match sections of the Virginia Declaration of Rights to concepts in the Declaration of Independence using the [two sets of primary source excerpts](#).
2. Teacher and students will debrief their findings, sharing the excerpts they matched.
3. Discussion will follow where students identify elements not addressed in the Declaration of Independence (for example, #9-excessive bail and cruel punishment, #11-free press, #14-religion by choice).
4. In a written response, students will select one of these elements not addressed in the Declaration of Independence and:
 - a. Identify how it is subsequently addressed in the United States Constitution and the Bill of Rights.
 - b. Evaluate its relevance to a current event within a global or personal context (i.e. current debates on capital punishment or religious freedom).

Extension Activity

Students can create an amendment to the Bill of Rights that addresses a freedom they believe they should have (i.e. can be a change they want to see in their school or class). Students can post their amendments around the room and have other students vote on them.

VIRGINIA DECLARATION OF RIGHTS (1776)

A Declaration of Rights made by the Representatives of the good people of Virginia, assembled in full and free Convention; which Rights do pertain to them and their posterity, as the Basis and Foundation of Government.

1. That all men are created equally free & independent, & have certain inherent natural Rights, of which they cannot, by any Compact, deprive or divest their posterity; among which are the Enjoyment of Life & Liberty, with the Means of acquiring & possessing property, & pursuing & obtaining Happiness & Safety.
2. That all power is by God & Nature vested in, & consequently derived from the people; that Magistrates are their Trustees & Servants; and at all Times amenable to them.
3. That Government is or ought to be, instituted for the common Benefit, protection & Security of the people, Nation, or Community. Of all the various Modes and Forms of Government that is best, which is capable of producing the greatest Degree of Happiness & Safety, and is most effectually secured against the Danger of Mal-Administration; and that whenever any Government shall be found inadequate or contrary to these purposes, a Majority of the Community hath an indubitable, unalienable, & indefeasible Right, to reform, alter, or abolish it, in such Manner as shall be judged most conducive to the public Weal.
4. That no Man, or Set of Men are entitled to exclusive or separate Emoluments or Privileges from the Community, but in Consideration of public Services; which not being descendible, neither ought the Offices of Magistrate, Legislator, or Judge, to be hereditary.
5. That the Legislative & executive powers of the State should be separate & distinct from the judicial; and that the Mem[bers] of the two first may be restrained from Oppression by feeling & participating the Burthens of the People, they should, at fixed Periods, be reduced to a private Station, & return into that Body from which they were originally taken; and the Vacancies be supplied by frequent, certain & regular Elections.
6. That Elections of Members, to serve as Representatives of the People in the Legislature, ought to be free, and that all Men having sufficient Evidence of permanent common Interest with, & Attachment to the Community, have the Right of Suffrage; and cannot be taxed, or deprived of their property for public Uses, without their own Consent, or that of their Representatives so elected, nor bound by any Law to which they have not, in like Manner, assented for the common Good.

7. That all power of suspending Laws, or the Execution of Laws, by any Authority, without Consent of the Representatives of the People, is injurious to their Rights, and ought not to be exercised.
8. That in all capital or criminal prosecutions, a Man hath a Right to demand the Cause & Nature of his Accusation, to be confronted with the Accusers & Witnesses, to call for Evidence in his Favor, and to a speedy Trial by an impartial Jury of his Vicinage, without whose unanimous Consent He cannot be found guilty, nor can he be compelled to give Evidence against himself; And that no Man be deprived of his Liberty, except by the Law of the Land, or the Judgment of his Peers.
9. That excessive Bail ought not to be required, nor excessive Fines imposed, nor cruel & unusual punishments inflicted.
10. That in Controversies respecting property, and in Suits between Man & Man, the ancient Trial by Jury is preferable to any other, & ought to be held sacred.
11. That the Freedom of the Press is one of the great Bulwarks of Liberty, and can never be restrained but by despotic Government.
12. That a well regulated Militia, composed of the Body of the People trained to Arms, is the proper, natural, & safe Defense of a free State; that standing Armies, in Time of Peace, should be avoided, as dangerous to Liberty; and that, in all Cases, the Military should be under strict Subordination to, & governed by the Civil power.
13. That no free Government, or the Blessing of Liberty, can be preserved to any People, but by a firm Adherence to Justice, Moderation, Temperance, Frugality & Virtue, and by frequent Recurrence to fundamental Principles.
14. That Religion, or the Duty which We owe to our Creator, and the Manner of discharging it, can be directed only by Reason & Conviction, not by Force or Violence, and therefore that all men should enjoy the fullest Toleration in the Exercise of Religion, according to the Dictates of Conscience unpunished, & unrestrained by the Magistrate; unless under Color of Religion, any Man disturb the Peace, the Happiness, or the Safety of Society: And that it is the mutual Duty of all to practice Christian Forbearance, Love, & Charity towards each other.”

Source: George Mason, Declaration of Rights (1776). Courtesy of the Library of Virginia.

SET A: VIRGINIA DECLARATION OF RIGHTS

“All men are created equally free and independent, and have certain inherent natural Rights...among which are the enjoyment of Life and Liberty, with the means of acquiring and possessing property.”

“All power is by God and Nature vested in, and consequently derived from the people.”

“That government is or ought to be, instituted for the common benefit, protection and security of the people, nation, or community...and that whenever a government shall be found inadequate or contrary to these purposes...hath an...unalienable...right to reform, alter, or abolish it.”

“That no man, or set of men are entitled to exclusive or separate ...privileges ... public services...neither offices of magistrate, legislator, or judge, to be hereditary.”

“That the legislative and executive powers of the state should be separate and distinct from the judicial...members of the two...at fixed periods...and the vacancies be supplied by...elections.”

“The Elections of Members, to serve as Representatives of the People in the Legislature, ought to be free; all Men...have the Right of suffrage; and cannot be taxed, or deprived of their property...”

“That all power of suspending Laws, or the Execution of Laws...without Consent of the Representatives, is injurious to their Rights, and ought not be exercised.”

“That in all capital or criminal prosecutions, a Man hath a Right to demand the Cause and Nature of his accusation, to be confronted with the accusers and witnesses...and to a speedy Trial by an impartial Jury of his Vicinage, without whose unanimous consent He cannot be found guilty, nor can he be compelled to give Evidence against himself...”

“That in controversies respecting property, and in suits between Man and Man, the ancient Trial by Jury is preferable to any other.”

“That a well regulated Militia, composed of the Body of the People trained to Arms, is the proper, natural, and safe Defense of a free State; that standing Armies, in Time of Peace, should be avoided, as dangerous to Liberty.”

“That no free Government, or the Blessing of Liberty, can be preserved to any People, but by a firm Adherence to Justice...and Virtue...”

SET B: DECLARATION OF INDEPENDENCE

“We hold 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 pursuit of Happiness.”

“That to secure these rights, 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.”

“He has refused his Assent to Laws, the most wholesome and necessary for the public good.”

“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 dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.”

“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.”

“For imposing taxes on us without our Consent.”

“For taking away our Charters, abolishing our most valuable Laws and altering fundamentally the Forms of our Governments.”

“For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.”

“For transporting us beyond seas to be tried for pretended offences.”

“For depriving us in many cases, of the benefit of Trial by jury.”

“He has kept among us, in times of peace, Standing Armies without the Consent of our legislatures.”

“He has affect to render the Military independent of and superior to the Civil Power.”

“For quartering large bodies of armed troops among us.”

“A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free people.”