

Name: _____

Date: _____

Origins of U.S. Democracy Primary Source Document Analysis

Part One Directions: Watch the short video about the Magna Carta and take five notes about the historical context of its creation. **What is Magna Carta?** <https://www.youtube.com/watch?v=7xo4tUMdAMw>

-
-
-
-
-

Part Two Directions: In part two of this activity you will be assigned another primary source document to analyze. You must identify important principles, ideals or values in the document and list a quotation from the document that represents those principles, ideals or values. Here is an example from the Magna Carta.

Principle, Value or Ideal	Quotation from Magna Carta
Freedom of Religion (Separation of Church and State)	We have, in the first place, granted to God, and by this our own present charter confirmed for us and our heirs that the English church shall be free...
Limited Government	No scutage (tax) or aid (subsidy) shall be imposed in our kingdom unless by common counsel thereof...
Representative Government	For obtaining the common counsel of the kingdom concerning aids... we shall cause to be summoned, severally by our letters, the archbishops, bishops, abbots, earls, and great barons; we will also cause to be summoned generally, by our sheriffs and bailiffs, all those who hold lands directly to us, to meet on a fixed day... and at a fixed place..
Justice and Trial by Jury	Earls and barons shall be amerced only by their peers, and only in proportion to the measure of the offense...
Justice and Right to Fair Trial	In the future no bailiff shall upon his own unsupported accusation put any man to trial without producing credible witness to the truth of the accusation.
Liberty and Civil Rights	Wherefore we will, and firmly charge... that all men in our kingdom shall have and hold the aforesaid liberties, rights and concessions...

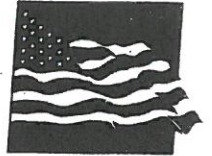
Read and analyze the document you have been assigned. Identify important principles, ideals or values in the document and list a quotation from the document that represents those principles, ideals or values. Complete this table, write clearly & large enough for others to read it.

Document Title: _____

Principle, Value or Ideal	Quotation from the Document

HISTORICAL DOCUMENT 2

English Petition of Rights, 1628



~~Read the document and answer the questions on another page.~~

WHEN English settlers arrived in America in the 1600s, they brought with them ideas about rights and limited government that came from the Magna Carta. In 1628, King Charles I was compelled to reaffirm the principles of Magna Carta when Parliament presented him with a Petition of Right.

THE petition exhibited to his majesty by the lords spiritual and temporal, and commons in this present parliament assembled, concerning divers rights and liberties of the subjects, with the king's majesty's royal answer thereunto in full parliament.

Humbly show unto our sovereign lord the king . . . whereas it is declared and enacted by a statute . . . commonly called *Statutum de Tallagio non Concedendo*, that no tallage or aid should be laid or levied by the king or his heirs in this realm without the goodwill and assent of the archbishops, bishops, earls, barons, knights, burgesses, and other the freemen of the commonalty of this realm; and, by authority of parliament holden in the five-and-twentieth year of the reign of King Edward III, it is declared and enacted that from thenceforth no person should be compelled to make any loans to the king against his will, because such loans were against reason and the franchise of the land . . . your subjects have inherited this freedom, that they should not be compelled to contribute to any tax, tallage, aid, or other like charge not set by common consent in parliament. . . .

And where also, by the statute called the Great Charter of the Liberties of England, it is declared and enacted that no freeman may be taken or imprisoned, or be disseised [deprived] of his freehold or liberties or his free customs, or be outlawed or exiled or in any manner destroyed, but by the lawful judgment of his peers or by the law of the land; and in the eight-and-twentieth year of the reign of King Edward III it was declared and enacted by authority of parliament that no man, of what estate or condition that he be, should be put out of his land or tenements, nor taken, nor imprisoned, nor disherited, nor put to death, without being brought to answer by due process of law: nevertheless, against the tenor of the said statutes and other the good laws and statutes of your realm to that end provided, divers of your subjects have of late been imprisoned without any cause showed; and when for their deliverance they were brought before your justices by your majesty's writs of *habeas corpus*, there, to undergo and receive as the court should order, and their keepers commanded to certify the causes of their detainer, no cause was certified, but

that they were detained by your majesty's special command, signified by the lords of your privy council; and yet were returned back to several prisons, without being charged with anything to which they might make answer according to the law.

And whereas of late great companies of soldiers and mariners have been dispersed into divers counties of the realm, and the inhabitants against their wills have been compelled to receive them into their houses, and there to suffer them to sojourn, against the laws and customs of this realm, and to the great grievance and vexation of the people: and whereas also, by authority of parliament in the five-and-twentieth year of the reign of King Edward III, it is declared and enacted that no man should be forejudged of life or limb against the form of the Great Charter and the law of the land; and, by the said Great Charter and other the laws and statutes of this your realm, no man ought to be adjudged to death but by the laws established in this your realm, either by the customs of the same realm or by acts of parliament; and whereas no offender of what kind soever is exempted from the proceedings to be used, and punishments to be inflicted by the laws and statutes of this your realm. . . .

They do therefore humbly pray your most excellent majesty that no man hereafter be compelled to make or yield any gift, loan, benevolence, tax, or such like charge without common consent by act of parliament; and that none be called to make answer, or take such oath, or to give attendance, or be confined, or otherwise molested or disquieted concerning the same, or for refusal thereof; and that no freeman, in any such manner as is before mentioned, be imprisoned or detained; and that your majesty would be pleased to remove the said soldiers and mariners; and that your people may not be so burdened in time to come; and that the foresaid commissions for proceeding by martial law may be revoked and annulled; and that hereafter no commissions of like nature may issue forth to any person or persons whatsoever. . . .

ENGLISH DOCUMENT

The English Petition of Right, 1628

Introduction

“Your Subjects have inherited this Freedom, that they should not be compelled to contribute to any Tax, Tallage, aid, or other like Charge not set by Common Consent in Parliament.”

Section 3

“No Freeman may be taken or imprisoned, or be disseised of his Freehold or Liberties, or his Free Customs, or be outlawed or exiled, or in any manner destroyed, but by the lawful Judgment of his Peers, or by the Law of the Land.”

Section 4

“No Man of what Estate or Condition that he be, should be put out of his Land or Tenements, nor taken, nor imprisoned, nor disherited, nor put to Death, without being brought to answer by due Process of Law.”

Section 5

“Your Subjects have of late been **imprisoned without any Cause** shewed; and when for their Deliverance they were brought before your Justices by your Majesty’s Writs of *Habeas Corpus*, there to undergo and receive as the Court should order, and the **Keepers commanded to certify the causes of their Detainer, no Cause was certified**, but that they were detained by Your Majesty’s special Command, signified by the Lords of Your Privy Council, and yet were **returned back to several Prisons, without being charged with any Thing to which they might make Answer according to the Law.**”

Section 6

“Soldiers and Mariners and been dispersed into divers Counties of the Realm, and the Inhabitants against their Wills have been compelled to receive them into their Houses...”

Section 8

“...Some of Your Majesty’s Subjects have been by some of the said Commissioners put to death, when and where, if by the Laws and Statutes of the Land they had deserved death, by the same Laws and Statutes also they might, and by no other ought to have been adjudged and executed.”

The English Bill of Rights

In 1689 William of Orange and his wife, Mary, became joint rulers of England after accepting what became known as the Bill of Rights. This document assured the people of certain basic civil rights.



Seal of William and Mary

An act declaring the rights and liberties of the subject and settling the succession of the crown. Whereas the lords spiritual and temporal and commons assembled at Westminster lawfully fully and freely representing all the estates of the people of this realm did upon the thirteenth day of February in the year of our Lord one thousand six hundred eight-eight [-nine] present unto their majesties . . . William and Mary prince and princess of Orange . . . a certain declaration in writing made by the said lords and commons in the words following viz

Whereas the late king James the second by the assistance of divers evil counsellors judges and ministers employed by him did endeavor to subvert and extirpate the protestant religion and the laws and liberties of this kingdom.

By assuming and exercising a power of dispensing with and suspending of laws and the execution of laws without consent of parliament. . . .

By levying money for and to the use of the crown by pretence of prerogative for other time and in other manner than the same was granted by parliament.

By raising and keeping a standing army within this kingdom in time of peace without consent of parliament and quartering soldiers contrary to law. . . .

By violating the freedom of election of members to serve in parliament. . . .

And excessive bail hath been required of persons committed in criminal cases to elude the benefit of the laws made for the liberty of the subjects.

And excessive fines have been imposed.

And illegal and cruel punishments inflicted. . . .

And thereupon the said lords spiritual and temporal and commons . . . do . . . declare

That the pretended power of suspending of laws or the execution of laws by regal authority without consent of parliament is illegal. . . .

That levying money for or to the use of the crown . . . without grant of parliament for longer time or in other manner than the same is or shall be granted is illegal.

That it is the right of the subjects to petition the king and all commitments and prosecutions for such petitioning are illegal.

That the raising or keeping a standing army within the kingdom in time of peace unless it be with consent of parliament is against law. . . .

That election of members of parliament ought to be free. . . .

That excessive bail ought not to be required nor excessive fines imposed nor cruel and unusual punishments inflicted. . . .

The said lords . . . do resolve that William and Mary prince and princess of Orange be and be declared king and queen of England France and Ireland. . . .

Fundamental Orders of Connecticut

In January 1639, settlers in Connecticut, led by Thomas Hooker, drew up the Fundamental Orders of Connecticut—America's first written constitution. It is essentially a compact among the settlers and a body of laws.

Forasmuch as it has pleased the Almighty God by the wise disposition of His Divine Providence so to order and dispose of things that we, the inhabitants and residents of Windsor, Hartford, and Wethersfield are now cohabiting and dwelling in and upon the river of Conectecotte and the lands thereunto adjoining; and well knowing where a people are gathered together the Word of God requires that, to maintain the peace and union of such a people, there should be an orderly and decent government established according to God, . . . do therefore associate and conjoin ourselves to be as one public state or commonwealth. . . . As also in our civil affairs to be guided and governed according to such laws, rules, orders, and decrees as shall be made, ordered, and decreed, as follows:

1. It is ordered . . . that there shall be yearly two general assemblies or courts; . . . The first shall be called the Court of Election, wherein shall be yearly chosen . . . so many magistrates and other public officers as shall be found requisite. Whereof one to be chosen governor . . . and no other magistrate to be chosen for more than one year; provided always there be six chosen besides the governor . . . by all that are admitted freemen and have taken the oath of fidelity, and do cohabit within this jurisdiction. . . .
4. It is ordered . . . that no person be chosen governor above once in two years, and that the governor be always a member of some approved congregation, and formerly of the magistracy within this jurisdiction; and all the magistrates freemen of this Commonwealth. . . .
5. It is ordered . . . that to the aforesaid Court of Election the several towns shall send their deputies. . . . Also, the other General Court . . . shall be for making of laws, and any other public occasion which concerns the good of the Commonwealth. . . .
7. It is ordered . . . that . . . the constable or constables of each town shall forthwith give notice distinctly to the inhabitants of the same . . . that . . . they meet and assemble themselves together to elect and choose certain deputies to be at the General Court then following to [manage] the affairs of the Commonwealth; which said deputies shall be chosen by all that are admitted inhabitants in the several towns and have taken the oath of fidelity. . . .
10. It is ordered . . . that every General Court . . . shall consist of the governor, or someone chosen to moderate the Court, and four other magistrates, at least, with the major part of the deputies of the several towns legally chosen. . . . In which said General Courts shall consist the supreme power of the Commonwealth, and they only shall have power to make laws or repeal them, to grant levies, to admit of freemen, dispose of lands undisposed of to several towns or person, and also shall have power to call either Court or magistrate or any other person whatsoever into question for any misdemeanor. . . .

In which Court, the governor or moderator shall have power to order the Court to give liberty of speech, . . . to put all things to vote, and, in case the vote be equal, to have the casting voice. . . .

The Mayflower Compact

On November 21, 1620, 41 men aboard the Mayflower drafted this agreement. The Mayflower Compact was the first plan of self-government ever put in force in the English colonies. The original compact has been lost. Mourt's Relation (1622) is the earliest source of the text reprinted here.

This day, before we came to harbor, observing some not well affected to unity and concord, but gave some appearance of faction, it was thought good there should be an association and agreement that we should combine together in one body, and to submit to such government and governors as we should by common consent agree to make and choose, and set our hands to this that follows word for word.

In the name of God, Amen. We whose names are underwritten, the loyal subjects of our dread sovereign lord, King James, by the grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, etc.

Having undertaken for the glory of God, and advancement of the Christian faith and honor of our king and country, a voyage to plant the first colony in the northern parts of Vir-



Signing of the Compact on the Mayflower by Edward Percy Moran, c. 1900

ginia, do by these present, solemnly and mutually, in the presence of God and one of another, covenant and combine ourselves together into a civil body politic, for our better ordering and preservation and furtherance of the ends aforesaid; and by virtue hereof to enact, constitute, and frame such just and equal laws, ordinances, acts, constitutions, offices from time to time as shall be thought most meet and convenient for the general good of the colony; unto which we promise all due submission and obedience.

In witness whereof we have hereunder subscribed our names, Cape Cod, 11th of November, in the year of the reign of our sovereign lord, King James, of England, France, and Ireland 18, and of Scotland 54. Anno Domini 1620.

