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## Unit Plan

Course/ Grade: Eighth Grade American History

Unit: Rights of America: How the Bill of Rights still has a major impact on society.

### Introductory Essay and Group Description

This unit will present how various documents in American History have shaped and changed what are rights for the people. Over the last 200 years the United States has evolved from a nation of former British colonies and independence states to a world power. Understanding the United States successes and problems comes through the political and civil rights granted to the people and the government in The Constitution and the Bill of Rights. The students will also compare the rights found in these documents to those that influenced them and those of other nations. Primary source documents will be used to see arguments made for changing these rights overtime. This unit aims to help learners continue to develop the understanding of how rights have evolved overtime, an enduring understanding is one of those which lies at the heart of American History.

The core concepts for this unit include those of individual rights and responsibilities (liberty or freedom), process of government (Federal vs. State), impact on natural rights, and regional concerns found within the Bill of Rights. For purposes of this unit learners should have some understanding of the various important documents that have shaped America. We will have already learned about the time period from the American Revolution through the Civil War and analyzed how the people's rights evolved over this time period. For this unit, the main focus will be on "written rights" of the Bill of Rights and "natural rights" found in society. We will explore the concept of "rights," referring to freedom from control by others, and examine how the government's influence and control them. The most important concept is that of rights that have changed and evolved over time. I want my students to understand that the concept of those rights contained in the Bill of Rights and how they have been changed through legislative actions and natural changes in society. This will come through looking at how different legislation and court decisions changed peoples' rights and how society evolved over this time period. This understanding will come through examining the *Emancipation Proclamation*, writings by George Mason, James Madison, Frederick Douglas and others whose arguments shaped the rights for various groups in history. The students will also read Bill of Rights found in other nations around the world to see how our Bill of Rights influenced their document.

In addition, this unit will focus on continuing the development of skills that are helpful in understanding the work of history and development of opinions. Students will apply their previously learned research skills in the investigation of a topic related to this unit theme. Specifically, we will continue to work on, and assess, students' abilities to select, organize, analyze, and interpret data and present findings. This will be done by using note taking skills and foldables to help organize the information. Students will use various sources to find documents and opinions related to the topic and compare and contrast how each relates to the topic of rights. From what they have learned the students will create a presentation based on three of the rights found in the Bill of Rights and write a classroom constitution.

A variety of teaching strategies will be used. These include cooperative learning in which the students will be expected to support one another in using the process skills described above. This will be done with each student having a role or assignment within the group. Within the group each student will have a leadership role they perform. Students will use their textbook and internet sources to find out about each document and the various opinions about them. Project will be presented through a creation using various materials and through the writing of the classroom constitution. By doing the work in this manner will allow the students to develop leadership skills they can later use outside the classroom.

This unit is geared toward an eighth grade American history class. The school is an urban district in the heart of the inner-city. The consist of nearly all African-American students. The five classes have 20-25 students in each evenly split between boys and girls. A variety of learning styles and reading skills exist within each. In most classes there is at least one student who has a Special Education resource teacher. Groups will use outlines developed earlier in the year for their notes, The class will have already been exposed to primary source documents prior to this lesson.

### Essential Questions

1. How do ideas about individual's rights and responsibilities impact the way people live?
2. How do other nations view the importance of rights?
3. How can the past events explain how decisions are made in the present?

### Assessment Plan

#### Essential Question 1

This goal will be assessed through class discussion and writing opinions of how various rights are impacted.

#### Essential Question 2

Students will create a trifold foldable to make comparisons between the United States Bill of Rights and those of other countries and of the past.

#### Essential Question 3

Students will create a visual of two of the rights found in the Bill of Rights.

**UNIT: Rights of America: The Changing Rights of the People.**  
**LESSON: Rights of the People (Day 1)**



**Objectives:**

After direct instruction, modeling and guided practice the learners will be able to ...

... analyze and draw inferences from primary source documents

... define and explain the rights found in the Bill of Rights

At 85-100% mastery using a graphic organizer.

**Implementation:**

During the first day of this lesson students will develop an understanding of the rights found within the Bill of Rights. Students will brainstorm what the rights mean on a graphic organizer of their choice. From this they will be able to explain how they are impacted by the Bill of Rights everyday.

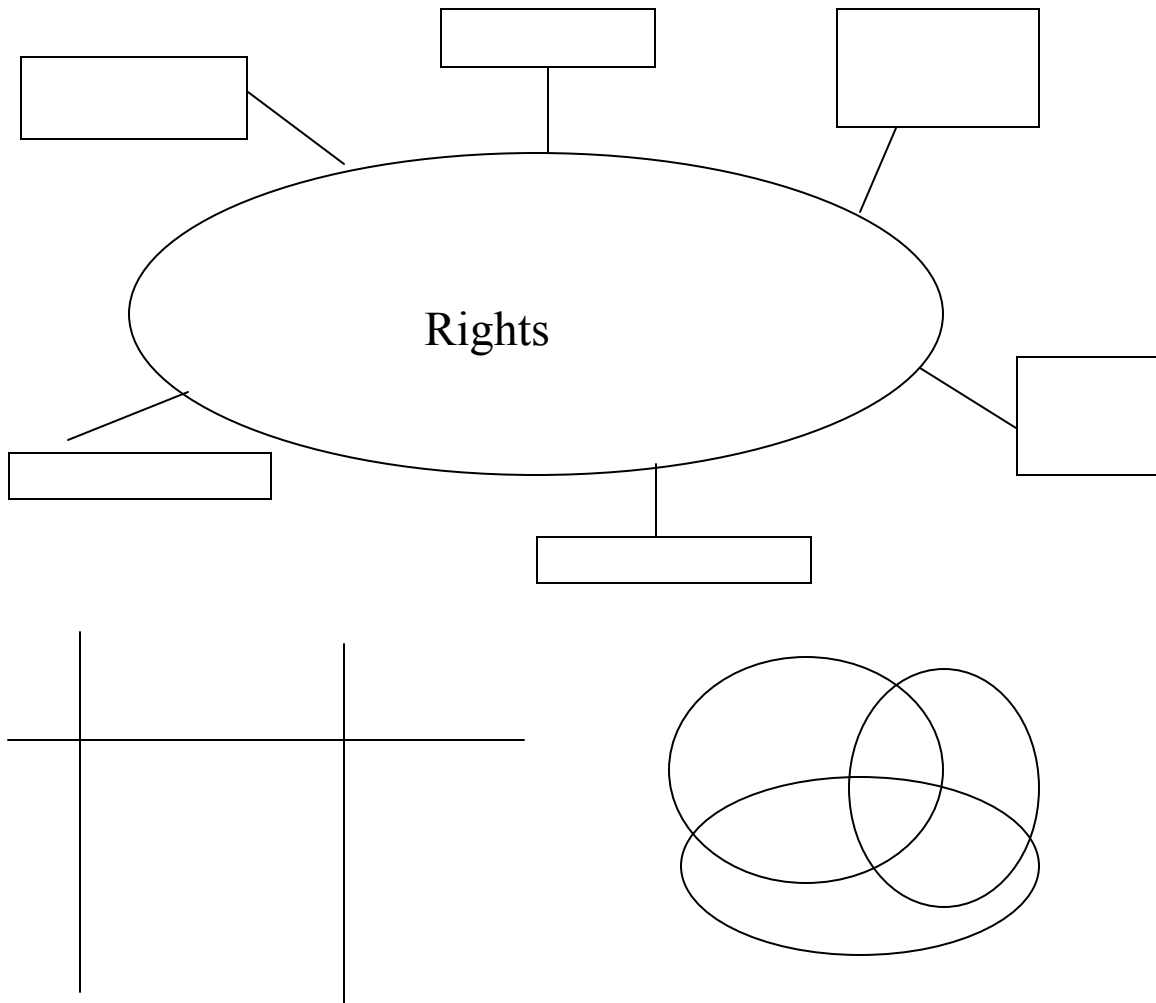
**Do now writing:**

How would you react to a rules change at school that did not allow you to call anyone b

**Class discussion:** The importance of rights in society. During this time we will review the Bill of Rights and take time to go over the first ten amendments. For each amendment the students will take notes on the basic rights being addressed. They will discuss in their group which one they feel is most important and why.

**Group work:** Working in groups of 4, students will create a graphic organizer about three of the rights found in the Bill of Rights. The rights will be chosen by one group member on a randomly selected note card. Each group will brainstorm what the meaning of each right is, how it impacts society and different ways it affects their life. Students will show their comparisons on one of the following graphic organizers.

## Possible Graphic Organizers



Ending Class discussion:

- share ideas on the rights discussed in your group.
- explain how you are impacted by these rights each day.

Homework: Watch one of the local newscast and take notes on any rights discussed.

UNIT: Rights of America: The Changing Rights of the People.  
LESSON 2: Analyzing primary source documents. (Day 2 and 3)

**Objectives:**

After direct instruction, modeling and guided practice the learners will be able to ...

... analyze and draw inferences from primary source documents

... define and explain the rights found in the Bill of Rights

At 85-100% mastery using a graphic organizer.

**Implementation:** The second and third day of this lesson will involve analyzing the bill of rights found in other nations constitutions. The students will create a foldable showing the similarities and differences from these documents and our Bill of Rights.

**Bell Ringer**

Draw a picture of the 4th amendment.

**Lesson:**

Introduction to the primary source documents. The students will be reading and comparing historical and current bills of rights of other nations' constitutions.

Each group will read the two documents and compare it to the United States Bill of Rights. For their foldable they will write the similarities and differences found in each document.

**Documents:**

Full copies of each document are found in the document appendix at the end of the lessons. The students will look over the 2 of the following documents along with the United States Bill of Rights.

Afghanistan  
Iraq  
Germany  
Canada

New Zealand  
South Africa

English Bill of Rights 1689  
Virginia Bill of Rights 1776  
French Declaration of Man and Rights 1789  
Code of Hammurabi

## Trifold exercise

The purpose of this exercise is to create a foldable that will allow the students to compare and contrast 3 different documents.

Document 1	Document 2	Document 3

### Directions for making trifold foldable

1. Fold one piece of paper in half. Leave some room one side of the paper so that the edges do not meet.
2. Fold the sideways paper from the top and bottom where the two parts meet in the middle.
3. Crease the paper so that when it unfolds there are 3 equal parts.
4. Cut along the creases of the part that is folded over the top.

### Trifold Document Directions

From this they will create a foldable answering the following questions for each document.

- what rights are similar to those of the U.S.?
- what is different?
- what rights are addressed in these Bill of Rights that are not in ours?
- How would you change the document?

UNIT: Rights of America: The Changing Rights of the People.  
LESSON 3: Analyzing historical writings. (Day 4 and 5).

**Objectives:**

After direct instruction, modeling and guided practice the learners will be able to ...

... analyze and draw inferences from primary source documents

... define and explain the rights found in the Bill of Rights

At 85-100% mastery using a graphic organizer.



**Implementation:** The fourth and fifth day of this lesson will involve analyzing historical sources involving the rights of various ethnic groups within the United States. The students will be reading for the arguments made for various rights of the people it discusses. They will identify the rights being discussed and explain the changes the author argues for.

**Do Now:** The school plans to suspend any student who speaks their opinion at school. How would you argue this as being violation of your constitutional rights?

**Implementation:** Introduction to the primary source documents. The students will be reading documents concerning rights of the people of the United States. These will include the writings of James Madison, George Mason, Frederick Douglass and others. Each group will read the two documents and compare it to the United States Bill of Rights. For their foldable they will write the similarities and differences found in each document.

UNIT: Rights of America: How the Bill of Rights impacts our daily lives.  
LESSON 4: Rights of the People (Day 6 and 7)

Objectives:

After direct instruction, modeling and guided practice the learners will be able to ...

... analyze and draw inferences from primary source documents

... define and explain the rights found in the Bill of Rights

At 85-100% mastery using a graphic organizer.

Implementation: On the sixth and seventh day of this lesson students will use what they have learned over the past five class periods to create a visual of rights. Students will work together in their previously assigned groups to create a randomly selected visual to create for the class.

Do Now:

Read *Does Guersney need a Bill of Rights?* ( See document appendix) Write your opinion of the article and why you think it is true or not.

Group work:

Students will continue working in the groups they have been in for this unit project. In their groups the roles of recorder, materials, reporter, researcher and motivator will be assigned for the group assessment.

Assessment: Create something that displays what they have learned about right.

Assignment:

Working in groups of 4, students will create a final production about one of the rights discussed. The final product will be either a drawing, role-play, 3-D visual, song or rap, or .

These will be chosen by one appointed group member.

The final product must:

- ⇒ Address at least two rights from the Bill of Rights
- ⇒ Be original
- ⇒ Have each member involved in the creation and presentation
- ⇒ Clearly explain how the rights are being challenged

Each group will use the scoring guide to judge the other groups.



## Oral Presentation Rubric : Bill of Rights Group Presentations

Teacher Name: **Mr. Melling**

Student Name: \_\_\_\_\_

CATEGORY	4	3	2	1
Stays on Topic	Stays on topic all (100%) of the time.	Stays on topic most (99-90%) of the time.	Stays on topic some (89%-75%) of the time.	It was hard to tell what the topic was.
Props	Student uses several props (could include costume) that show considerable work/creativity and which make the presentation better.	Student uses 1 prop that shows considerable work/creativity and which make the presentation better.	Student uses 1 prop which makes the presentation better.	The student uses no props OR the props chosen detract from the presentation.
Preparedness	Student is completely prepared and has obviously rehearsed.	Student seems pretty prepared but might have needed a couple more rehearsals.	The student is somewhat prepared, but it is clear that rehearsal was lacking.	Student does not seem at all prepared to present.
Content	Shows a full understanding of the topic.	Shows a good understanding of the topic.	Shows a good understanding of parts of the topic.	Does not seem to understand the topic very well.
Collaboration with Peers	Almost always listens to, shares with, and supports the efforts of others in the group. Tries to keep people working well together.	Usually listens to, shares with, and supports the efforts of others in the group. Does not cause "waves" in the group.	Often listens to, shares with, and supports the efforts of others in the group but sometimes is not a good team member.	Rarely listens to, shares with, and supports the efforts of others in the group. Often is not a good team member.

UNIT: Rights of America: How the Bill of Rights impacts our daily lives.  
LESSON 5: (Day 7)

**Objectives:**

After direct instruction, modeling and guided practice the learners will be able to ...

... analyze and draw inferences from primary source documents

... define and explain the rights found in the Bill of Rights

At 85-100% mastery using a graphic organizer.

**Do Now:** Students will tell two of the rights that are most important to them and why.

**Group Work:**

Students will work in groups of 4 to write a new Bill of Rights. Each group will write five new rights in ways similar to other constitutions. After completing their five, each group will present their rights to the other groups. As a class the student will decide the 10 that should be included.

**Implementation:** On the last day of this lesson the students will use their prior knowledge of the constitution to create a new Bill of Rights. Students can use information from other constitutions looked at in class as a guide for what they can include.

**Lesson:** In class we have been discussing the Bill of Rights of the United States Constitution. The students have looked at Bills of Rights in historical documents and other nation's constitutions. Through this they have learned of other nations' rights and compared those to our own. Using this prior knowledge students will work in groups to create a new Bill of Rights. Working in groups, each will write five new rights to be included in the constitution. As a class the students will decide the 10 that will be used.

## Document Appendix

### Afghanistan Constitution Chapter Two

#### Fundamental Rights and Duties of Citizens

##### Article Twenty-two Ch. 2, Art. 1

Any kind of discrimination and privilege between the citizens of Afghanistan are prohibited. The citizens of Afghanistan have equal rights and duties before the law

##### Article Twenty-Four Ch. 2, Art. 3

Liberty is the natural right of human beings. This right has no limits unless affecting the rights of others or public interests, which are regulated by law. Liberty and dignity of human beings are inviolable. The state has the duty to respect and protect the liberty and dignity of human beings.

##### Article Twenty-Five Ch. 2, Art. 4

Innocence is the original state. An accused is considered innocent until convicted by a final decision of an authorized court.

##### Article Twenty-Six Ch.2, Art. 5

Crime is a personal action. The prosecution, arrest, and detention of an accused and the execution of penalty can not affect another person.

##### Article Twenty-Seven Ch. 2, Art. 6

No act is considered a crime, unless determined by a law adopted prior to the date the offense is committed. No person can be pursued, arrested or detained but in accordance with provisions of law. No person can be punished but in accordance with the decision of an authorized court and in conformity with the law adopted before the date of offense.

##### Article Twenty-Eight Ch. 2, Art. 7

No citizen of Afghanistan accused of a crime can be extradited to a foreign state unless according mutual agreement and international conventions that Afghanistan has joined. No Afghan would be sentenced to deprivation of citizenship or to exile inside the country or abroad.

##### Article Twenty-Nine Ch. 2, Art. 8

Torture of human beings is prohibited. No person, even with the intention of discovering the truth, can resort to torture or order the torture of another person who may be under prosecution, arrest, or imprisoned, or convicted to punishment. Punishment contrary to human integrity is prohibited.

##### Article Thirty-One Ch. 2, Art. 10

Every person upon arrest can seek an advocate to defend his rights or to defend his case for which he is accused under the law. The accused upon arrest has the right to be informed of the attributed accusation and to be summoned to the court within the limits determined by law. In criminal cases, the state shall appoint an advocate for a destitute.

The duties and authorities of advocates shall be regulated by law.

##### Article Thirty- Two Ch. 2, Art. 11

Being in debt does not limit a person's freedom or deprive him of his liberties. The mode and means of recovering a debt shall be regulated by law.

##### Article Thirty-Three Ch. 2, Art. 12

The citizens of Afghanistan have the right to elect and be elected. Law regulates the conditions and means to exercise this right.

Article Thirty-Four Ch. 2, Art. 13

Freedom of expression is inviolable. Every Afghan has the right to express his thought through speech, writing, or illustration or other means, by observing the provisions stated in this Constitution. Every Afghan has the right to print or publish topics without prior submission to the state authorities in accordance with the law. Directives related to printing house, radio, television, press, and other mass media, will be regulated by the law.

Article Thirty-Five Ch. 2, Art. 14

The citizens of Afghanistan have the right to form social organizations for the purpose of securing material or spiritual aims in accordance with the provisions of the law. The citizens of Afghanistan have the right to form political parties in accordance with the provisions of the law, provided that:

1. The program and charter of the party are not contrary to the principles of sacred religion of Islam, and the provisions and values of this Constitution.
2. The organizational structure, and financial sources of the party are made public.
3. The party does not have military or paramilitary aims and structures.
4. Should have no affiliation to a foreign political party or sources. Formation and functioning of a party based on ethnicity, language, religion and region is not permissible.

A party set up in accordance with provisions of the law shall not be dissolved without lawful reasons and the decision of an authorized court.

Article Thirty-Six Ch. 2, Art. 15

The citizens of Afghanistan have the right to un-armed demonstrations, for legitimate peaceful purposes.

Article Thirty-Seven Ch. 2, Art. 16

Confidentiality and freedom of correspondence and communication whether in the form of letters or through telephone, telegraph and other means, are immune from invasion. The state does not have the right to inspect personal correspondence and communication unless authorized by the provisions of law.

Article Thirty-Eight Ch. 2, Art. 17

A person's residence is immune from invasion. Other than the situations and methods indicated in the law, no one, including the state, are allowed to enter or inspect a private residence without prior permission of the resident or holding a court order. In case of an evident crime, an official in-charge of the situation can enter or conduct a house search prior to the permission of the court. The official involved in the situation is required to obtain a subsequent court order for the house search within the period indicated by law.

Article Thirty-Nine Ch. 2, Article 18

Every Afghan has the right to travel or settle in any part of the country except in the regions forbidden by law. Every Afghan has the right to travel abroad and return home in accordance with the provisions of law. The state shall protect the rights of the citizens of Afghanistan abroad.

Article Forty Ch. 2, Art. 19

Property is immune from invasion. No person shall be forbidden from acquiring and making use of a property except within the limits of law. No body's property shall be confiscated without the provisions of law and the order of an authorized court. Acquisition of a person's property, in return for a prior and just compensation within the bounds of law, is permitted only for securing public interests in accordance with the provisions of law. Inspection and disclosure of a private property are carried out only in accordance with the provisions of law.

Article Forty-one Ch. 2, Art. 20

Foreign individuals do not have the right to own immovable property in Afghanistan. Lease of immovable property for the purpose of investment is permissible in accord with law. The sale of estates to diplomatic missions of foreign countries and to those international agencies, of which Afghanistan is a member, is permissible in accordance with the provisions of law.

Article Forty-Two Ch. 2, Art. 21

Every Afghan is obligated to pay taxes and duties to the government in accordance with the provisions of law.

No taxes and duties are enforced without provisions of law. The rate of taxes and duties and the method of payment are determined bylaw on the basis of observing social justice. This provision is also applied to foreign individuals and agencies. Every kind of tax, duties, and incomes collected, shall be delivered to the State account.

Article Forty-Three Ch. 2, Art. 22

Education is the right of all citizens of Afghanistan, which shall be provided up to secondary level, free of charge by the state. The state is obliged to devise and implement effective programs for a balanced expansion of education all over Afghanistan, and to provide compulsory intermediate level education. The state is also required to provide the opportunity to teach native languages in the areas where they are spoken.

Article Forty-Four Ch. 2, Art. 23

The state shall devise and implement effective programs for balancing and promoting of education for women, improving of education of nomads and elimination of illiteracy in the country.

Article Forty-Five

The state shall devise and implement a unified educational curriculum based on the provisions of the sacred religion of Islam, national culture, and in accordance with academic principles, and develops the curriculum of religious subjects on the basis of the Islamic sects existing in Afghanistan.

Article Forty-Six Ch.2, Art. 24

Establishing and operating of higher, general and vocational education are the duties of the state. The citizens of Afghanistan also can establish higher, general, and vocational private educational institutions and literacy courses with the permission of the state. The state can also permit foreign persons to set up higher, general and vocational educational private institutes in accordance with the law. The conditions for admission to state higher education institutions and other related matters to be regulated by the law.

Article Forty-Seven Ch. 2, Art. 25

The state shall devise effective programs for the promotion of science, culture, literature and the arts. The state guarantees the rights of authors, inventors, and discoverers, and encourages and supports scientific researches in all areas, and publicizes the effective use of their results in accordance with the law.

Article Forty-Eight Ch. 2, Art. 26

Work is the right of every Afghan. Working hours, paid holidays, right of employment and employee, and other related affairs are regulated by law. Choice of occupation and craft is free within the limits of law.

Article Forty-Nine Ch. 2, Art. 27

Forced labor is forbidden. Forced labor, in times of war, calamity, and other situations threatening lives and public welfare are exceptions to this rule. Children shall not be subjected to the force labor.

Article Fifty-one Ch. 2, Art. 29

Any person suffering undue harm by government action is entitled to compensation, which he can claim by appealing to court. With the exception of situation stated in the law, the state cannot claim its right without the order of an authorized court.

Article Fifty-two Ch. 2, Art. 30

The state is obliged to provide the means of preventive health care and medical treatment, and proper health facilities to all citizens of Afghanistan in accordance with. The state encourages and protects the establishment and expansion of private medical services and health centers in accordance with law. The state in order to promote physical education and improve national and local sports adopts necessary measures.

Article Fifty- Three Ch. 2. Art. 31

The state takes necessary measures for regulating medical services and financial support to descendants of martyred, lost or disabled and handicapped individuals in accordance with Law. The state guarantees the rights of pen-

sioners and renders necessary assistance to needy elders, women without caretakers, and needy orphans in accordance with the law.

Article Fifty- Four Ch.2, Art. 32

Family is a fundamental unit of society and is supported by the state. The state adopts necessary measures to ensure physical and psychological well being of family, especially of child and mother, upbringing of children and the elimination of traditions contrary to the principles of sacred religion of Islam.

Article Fifty-Five Ch. 2, Art. 33

The defense of the country is the responsibility of all citizens of Afghanistan. The conditions for military services are regulated by law.

Article Fifty-Six Ch. 2, Art. 34

Observing the provisions of the Constitution, obeying the laws, adhering to public law and order are the duties of all people of Afghanistan. Ignorance about the provisions of law is not considered an excuse.

Article Fifty-Seven Ch. 2. Art. 35

The state guarantees the rights and liberties of the foreign citizens residing in Afghanistan in accordance with the law. These people are obliged to observe the laws of the state of Afghanistan in accordance with the International Law.

Article Fifty-Eight. Ch. 2. Art. 36

The State, for the purpose of monitoring, observation of human rights in Afghanistan their protection, shall establish the Independent Human Rights Commission of Afghanistan. Everyone in case of violation of his fundamental rights can launch complaint to this Commission. The commission can refer the cases of violation of the fundamental rights of the persons to the legal authorities, and assist them defending their rights. Structure, and mode of function of this Commission will be regulated by law.

Article Fifty-Nine Ch. 2. Art. 37

No one can misuse the rights and freedoms under this Constitution against independence, territorial integrity, national unity, sovereignty and national unity.

[http://www.constitution.org/cons/afghan/draft\\_cons\\_eng.txt](http://www.constitution.org/cons/afghan/draft_cons_eng.txt)

## **RIGHTS AND FREEDOMS IN CANADA**

1.- The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

### **FUNDAMENTAL FREEDOMS**

2.- Everyone has the following fundamental freedoms:

- a. freedom of conscience and religion;
- b. freedom of thought, belief, opinion and expression, including freedom of the press and other media of communication;
- c. freedom of peaceful assembly; and
- d. freedom of association.

### **DEMOCRATIC RIGHTS OF CITIZENS**

3.- Every citizen of Canada has the right to vote in an election of members of the House of Commons or of a legislative assembly and to be qualified for membership therein.

### **MOBILITY OF CITIZENS**

6.- 1. Every citizen of Canada has the right to enter, remain in and leave Canada.

#### **Rights to move and gain livelihood**

2. Every citizen of Canada and every person who has the status of a permanent resident of Canada has the right

- a. to move to and take up residence in any province; and
- b. to pursue the gaining of a livelihood in any province.

#### **Limitation**

3. The rights specified in subsection (2) are subject to

- a. any laws or practices of general application in force in a province other than those that discriminate among persons primarily on the basis of province of present or previous residence; and
- b. any laws providing for reasonable residency requirements as a qualification for the receipt of publicly provided social service.

#### **Affirmative action programs**

4. Subsections (2) and (3) do not preclude any law, program or activity that has as its object the amelioration in a province of conditions of individuals in that province who are socially or economically disadvantaged if the rate of employment in that province is below the rate of employment in Canada.

## **LIFE, LIBERTY AND SECURITY OF PERSON**

7.- Everyone has the right to life, liberty and security of the persons and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

### **SEARCH OR SEIZURE**

8.- Everyone has the right to be secure against unreasonable search or seizure.

### **DETENTION OR IMPRISONMENT**

9.- Everyone has the right not to be arbitrarily detained or imprisoned.

### **ARREST OR DETENTION**

10.- Everyone has the right on arrest or detention

- a. to be informed promptly of the reasons therefor;
- b. to retain and instruct counsel without delay and to be informed of that right; and
- c. to have the validity of the detention determined by way of habeas corpus and to be released if the detention is not lawful.

## **PROCEEDINGS IN CRIMINAL AND PENAL MATTERS**

11.- Any person charged with an offense has the right

- a. to be informed without unreasonable delay of the specific offense;
- b. to be tried within a reasonable time;
- c. not to be compelled to be a witness in proceedings against that person in respect of the offense;
- d. to be presumed innocent until proven guilty according to law in a fair and public hearing by an independent and impartial tribunal;
- e. not to be denied reasonable bail without just cause;
- f. except in the case of an offense under military law tried before a military tribunal, to the benefit of trial by jury where the maximum punishment for the offense is imprisonment for five years or a more severe punishment;

- g. not to be found guilty on account of any act or omission unless, at the time of the act or omission, it constituted an offense under Canadian or international law or was criminal according to the general principles of law recognized by the community of nations;
- h. if finally acquitted of the offense, not to be tried for it again and, if finally found guilty and punished for the offense, not to be tried or punished for it again; and
- i. if found guilty of the offense and if the punishment for the offense has been varied between the time of commission and the time of sentencing, to the benefit of the lesser punishment.

**TREATMENT OR PUNISHMENT**

**12.-** Everyone has the right not to be subjected to any cruel and unusual treatment or punishment.

**SELF-CRIMINATION**

**13.-** A witness who testifies in any proceedings has the right not to have any incriminating evidence so given used to incriminate that witness in any other proceedings, except in a prosecution for perjury or for the giving of contradictory evidence.

**INTERPRETER**

**14.-** A party or witness in any proceedings who does not understand or speak the language in which the proceedings are conducted or who is deaf has the right to the assistance of an interpreter.

**EQUALITY BEFORE AND UNDER LAW AND EQUAL PROTECTION AND BENEFIT OF LAW**

**15.-** 1. Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, color, religion, sex, age or mental or physical disability.

<http://www.constitution.org/cons/canada.htm>



## **Iraq Bill of Rights**

### **SECTION TWO: RIGHTS AND LIBERTIES**

#### **CHAPTER ONE: RIGHTS**

##### **FIRST: Civil and Political Rights**

###### Article 14:

Iraqis are equal before the law without discrimination based on gender, race, ethnicity, origin, color, religion, creed, belief or opinion, or economic and social status.

###### Article 15:

Every individual has the right to enjoy life, security and liberty. Deprivation or restriction of these rights is prohibited except in accordance with the law and based on a decision issued by a competent judicial authority.

###### Article 16:

Equal opportunities are guaranteed for all Iraqis. The state guarantees the taking of the necessary measures to achieve such equal opportunities.

###### Article 17:

First: Every individual shall have the right to personal privacy, so long it does not contradict the rights of others and public morals.

Second: The sanctity of the homes is inviolable and homes may not be entered, searched, or put in danger, except by a judicial decision, and in accordance with the law.

###### Article 18:

(First: Iraqi nationality is the right of every Iraqi and shall be the basis of his citizenship.)

(Second: An Iraqi is any person born to an Iraqi father or mother. This will be regulated by law.)

Third:

A. An Iraqi citizen by birth may not have his nationality withdrawn for any reason. Any person who had his nationality withdrawn shall have the right to reclaim it, and this will be stipulated by law.

B. The Iraqi nationality shall be withdrawn from the naturalized in the cases stipulated by law.

Fourth: An Iraqi may have multiple nationalities. Everyone who assumes a senior, security sovereign position must abandon any other acquired nationality. This will be organized by law.

Fifth: Iraqi citizenship shall not be granted for the purposes of the policy of settling people that cause an imbalance in the population composition of Iraq.

Sixth: A law shall regulate the provisions of nationality. The competent courts shall consider the suits resulting from it.

###### Article 19:

First: The judiciary is independent and no power is above the judiciary except the law.

Second: There is no crime or punishment except by a stipulation. The punishment shall only be for an act that the law considers a crime when perpetrated. A harsher sentence than the applicable sentence at the time of the offense may not be imposed.

Third: Litigation shall be a safeguarded and guaranteed right for all.

Fourth: The right to a defense shall be sacred and guaranteed in all phases of investigation and trial.

Fifth: The accused is innocent until proven guilty in a fair legal trial. The accused may not be tried on the same crime for a second time after acquittal unless new evidence is produced.

Sixth: Every person has the right to be treated with justice in judicial and administrative proceedings.

Seventh: The proceedings of a trial are public unless the court decides to make it secret.

Eighth: Punishment is personal.

Ninth: A law does not have a retroactive effect unless the law stipulates otherwise. This exclusion shall not include laws relating to taxes and fees.

Tenth: Criminal law does not have a retroactive effect, unless it is to the benefit of the accused.

Eleventh: The court shall delegate a lawyer at the expense of the state for an accused of a felony or misdemeanor who does not have a defense lawyer.

Twelfth:

A. (Unlawful) detention is prohibited.

B. detention or arrest is prohibited in places not designed for it, pursuant to prison regulations covered by health and social care and subject to the scrutiny of the law.

Thirteenth: The preliminary investigative documents must be submitted to the competent judge in a period not to exceed twenty-four hours from the time of the arrest of the accused. It may be extended only once and for the same period.

Article 20:

The citizens, men and women, have the right to participate in public affairs and to enjoy political rights including the right to vote, to elect and to nominate.

Article 21:

First: No Iraqi shall be surrendered to foreign entities and authorities.

Second: A law shall regulate the right of political asylum to Iraq. No political refugee shall be surrendered to a foreign entity or returned forcibly to the country from which he fled.

Third: No political asylum shall be granted to a person accused of committing international or terrorist crimes or any person who inflicted damage on Iraq.

SECOND: Economic, social and cultural liberties

Article 22:

First: Work is a right for all Iraqis so as to guarantee them a decent living.

Second: The law regulates the relationship between employees and employers on economic basis and with regard to the foundations of social justice.

Third: The State guarantees the right of forming and joining professional associations and unions. This will be organized by law.

Article 23:

First: Personal property is protected. The proprietor shall have the right to benefit from, exploit and utilize personal property within the limits of the law.

Second: No property may be taken away except for the purposes of public benefit in return for just compensation. This will be organized by law.

Third:

A. Every Iraqi has the right to own property throughout Iraq. No others may possess immovable assets, except as exempted by law.

B. Owning property for the purposes of population change shall be prohibited.

Article 24:

The State guarantees freedom of movement of Iraqi manpower, goods and capitals between regions and governorates. This will be organized by law.

Article 25:

The State guarantees the reform of the Iraqi economy in accordance with modern economic principles to ensure the full investment of its resources, diversification of its sources and the encouragement and the development of the private sector.

Article 26:

The state guarantees the encouragement of investments in the various sectors. This will be organized by law.

Article 27:

First: Public property is sacrosanct, and its protection is the duty of each citizen.

Second: The provisions related to the protection of State properties and its management and the conditions for its disposal and the limits under which none of these properties can be relinquished shall all be regulated by law.

Article 28:

First: No taxes or fines may be imposed, amended, exempted or pardoned from, except in accordance with law.

Second: Low wage earners shall be exempted from taxes in a manner that ensures the upholding of the minimum wage required for survival. This will be organized by law.

Article 29:

First:

A. The family is the foundation of society; the State preserves its entity and its religious, moral and patriotic values.

B. The State guarantees the protection of motherhood, childhood and old age and shall care for children and youth and provides them with the appropriate conditions to further their talents and abilities.

Second: Children have right over their parents in regard to upbringing, care and education. Parents shall have right over their children in regard to respect and care especially in times of need, disability and old age.

Third: Economic exploitation of children shall be completely prohibited. The State shall take the necessary measures to protect them.

Fourth: All forms of violence and abuse in the family, school and society shall be prohibited.

Article 30:

First: The state guarantee to the individual and the family -- especially children and women -- social and health security and the basic requirements for leading a free and dignified life. The state also ensures the above a suitable income and appropriate housing.

Second: The State guarantees the social and health security to Iraqis in cases of old age, sickness, employment disability, homelessness, orphanage or unemployment, and shall work to protect them from ignorance, fear and poverty. The State shall provide them housing and special programs of care and rehabilitation. This will be organized by law.

Article 31:

First: Every citizen has the right to health care. The state takes care of public health and provide the means of prevention and treatment by building different types of hospitals and medical institutions.

Second: Individuals and institutions may build hospitals or clinics or places for treatment with the supervision of the state and this shall be regulated by law.

Article 32:

The State cares for the handicapped and those with special needs and ensure their rehabilitation in order to reintegrate them into society. This shall be regulated by law.

Article 33:

First: Every individual has the right to live in a safe environment.

Second: The State undertakes the protection and preservation of the environment and biological diversity.

Article 34:

First: Education is a fundamental factor in the progress of society and is a right guaranteed by the state. Primary education is mandatory and the state guarantees to eradicate illiteracy.

Second: Free education is a right for all Iraqis in all its stages.

Third: The State encourages scientific research for peaceful purposes that serve man and supports excellence, creativity, invention and the different aspects of ingenuity.

Fourth: Private and public education is guaranteed. This shall be regulated by law.

## **CHAPTER TWO: LIBERTIES**

Article 35:

First:

A. The liberty and dignity of man are safeguarded.

B. No person may be kept in custody or interrogated except in the context of a judicial decision.

C. All forms of psychological and physical torture and inhumane treatment shall be prohibited. Any confession coerced by force, threat, or torture shall not be relied on. The victim shall have the right to compensation in accordance with the law for material and moral damages incurred.

Second: The State guarantees the protection of the individual from intellectual, political and religious coercion.

Third: Compulsory service (unpaid labor), serfdom, slave trade (slavery), trafficking of women and children, and the sex trade is prohibited.

(Fourth: The State will promote cultural activities and institutions in a way that is appropriate with Iraq's civilizational history and culture. It will take care to depend on authentic Iraqi cultural trends.)

Article 36:

The state guarantees in a way that does not violate public order and morality:

A. Freedom of expression, through all means.

B. Freedom of press, printing, advertisement, media and publication.

C. Freedom of assembly and peaceful demonstration. This shall be regulated by law.

(D. Every Iraqi has the right to engage in sports, and the State should encourage its activities and promotion and will provide its necessities)

Article 37:

First: The freedom of forming and of joining associations and political parties is guaranteed. This will be organized by law.

Second: It is prohibited to force any person to join any party, society or political entity or force him to continue his membership in it.

Article 38:

The freedom of communication, and mail, telegraphic, electronic, and telephonic correspondence, and other correspondence shall be guaranteed and may not be monitored, wiretapped or disclosed except for legal and security necessity and by a judicial decision.

Article 39:

Iraqis are free in their commitment to their personal status according to their religions, sects, beliefs, or choices. This shall be regulated by law.

Article 40:

Each individual has freedom of thought, conscience and belief.

Article 41:

First: The followers of all religions and sects are free in the:

A. Practice of religious rites, including the Hussein ceremonies (Shiite religious ceremonies)

B. Management of the endowments, its affairs and its religious institutions. The law shall regulate this.

Second: The state guarantees freedom of worship and the protection of the places of worship.

Article 42:

First: Each Iraqi enjoys the right of free movement, travel, and residence inside and outside Iraq.

Second: No Iraqi may be exiled, displaced or deprived from returning to the homeland.

Article 43:

First: The State shall seek to strengthen the role of civil society institutions, to support, develop and preserve its independence in a way that is consistent with peaceful means to achieve its legitimate goals. This will be organized by law.

Second: The State shall seek the advancement of the Iraqi clans and tribes and shall attend to their affairs in a manner that is consistent with religion and the law and upholds its noble human values in a way that contributes to the development of society. The State shall prohibit the tribal traditions that are in contradiction with human rights.

Article 44:

There may not be a restriction or limit on the practice of any rights or liberties stipulated in this constitution, except by law or on the basis of it, and insofar as that limitation or restriction does not violate the essence of the right or freedom.

[http://www.constitution.org/cons/iraq/iraq\\_cons\\_051012.htm](http://www.constitution.org/cons/iraq/iraq_cons_051012.htm)

1

**Section Number** 2

**Section Title** 3

**Extent to which the right is protected**

9 Equality With respect to unfair discrimination solely on the grounds of race, colour, ethnic or social origin, sex religion or language

10 Human Dignity Entirely

11 Life Entirely

12 Freedom and Security of the person With respect to subsections (1)(d) and (e) and (2)(c).

13 Slavery, servitude and forced labour With respect to slavery and servitude

28 Children With respect to:

- subsection (1)(d) and (e);

- the rights in subparagraphs (i) and (ii) of subsection (1)(g); and

- subsection 1(i) in respect of children of 15 years and younger

35 Arrested, detained and accused persons With respect to:

- subsections (1)(a), (b) and (c) and (2)(d);

- the rights in paragraphs (a) to (o) of subsection (3), excluding paragraph (d)

- subsection (4); and

- subsection (5) with respect to the exclusion of evidence if the admission of that evidence would render the trial unfair.

## THE NEW ZEALAND BILL OF RIGHTS ACT 1990

*The Bill of Rights Act contains important rights. This leaflet tells you what these rights are. Everybody in government (including government departments, courts, state-owned enterprises and local authorities) must comply with the Bill of Rights Act.*

*The Bill of Rights Act protects you from the actions of anyone in government that interfere with your rights.*

*The Bill of Rights also protects the rights of non-natural persons, for example, companies and incorporated societies.*

### **How does the Bill of Rights Act actually protect my rights?**

The Bill of Rights Act can protect your rights in two ways:

- The Courts can recognise your rights. However, the Courts may need to balance your rights against the rights of others and the interest of the whole community.

The Bill of Rights requires the Attorney General to report to Parliament if any proposed law appears inconsistent with the Bill of Rights Act. The government will have to justify the need for such a law.

The Act says that any limits on your rights must be reasonable.

### **What are my rights under the Bill of Rights Act?**

The Bill of Rights Act contains the following rights and freedoms:

#### **1. Life and Security of the Person**

You have the right not to be:

- Deprived of life;
  - Subjected to torture, cruel treatment or punishment;
- Subjected to medical or scientific experimentation.

You have the right to refuse medical treatment.

#### **2. Democratic and Civil Rights**

You have the right to:

- Freedom of expression;
- Freedom of peaceful assembly;
- Freedom of association;

Freedom of thought, conscience, religion and belief.

As a New Zealand citizen over 18 you have the right to vote and to be a Member of Parliament.

So long as you are lawfully in New Zealand you have the right to freedom of movement and residence in New Zealand.

You have the right to practise your own religion or beliefs.

#### **3. Non-Discrimination and Minority Rights**

You have the right to freedom from discrimination on the grounds of sex, marital status, religious belief, ethical belief, colour, race, ethnic or national origins, disability, age, political opinion, employment status, family status, and sexual orientation.

If you belong to an ethnic, religious, or linguistic minority you must not be denied the right to enjoy the culture or practise the religion or use the language of that minority.

#### **4. Search, Arrest, and Detention**

You have the right not to be subjected to:

- Unreasonable search or seizure;
- Arbitrary arrest or detention.

If you are arrested or detained under the law you have the right to:

- Be told of the reasons for your arrest or detention;
- Consult and instruct a lawyer and be told that right;
- Remain silent and be told of that right;
- Challenge the lawfulness of your arrest or detention in court;
- Be charged promptly or be released;

Be brought before a court as soon as possible, if not released.

If you are charged with an offence you have the right to:

- Be told promptly of the nature of the charge;
  - Be released unless there is just cause for detention;
  - Adequate time and facilities to prepare a defence;
  - Trial by jury if the penalty includes more than 3 months imprisonment;
  - Free legal assistance if the interests of justice require and you do not have sufficient means;
- Free assistance of an interpreter if required.

### **5. Criminal Procedure**

If you are charged with an offence you have the right to a minimum standard of criminal procedure which includes the right to a minimum standard of criminal procedure which includes the right to:

- Be tried without undue delay;
- Not be forced to be a witness or to confess guilt;
- Be presumed innocent until proven guilty;
- A fair trial and to attend your own trial;
- Present a defence and cross-examine witnesses;

Appeal to a higher court against conviction and sentence.

You are not liable to conviction for anything that was not an offence at the time it occurred.

If you are convicted, pardoned, or acquitted of an offence you must not be tried or punished for the same offence again.

### **6. Right to Justice**

If your rights may be affected by a decision of a tribunal or public authority you have the right to:

- A fair hearing by an unbiased decision-maker

Apply for judicial review of that decision.

You have the right to bring civil proceedings against, and defend civil proceedings brought by the Crown in the same way as civil proceedings between individuals.

[http://www.justice.govt.nz/pubs/other/pamphlets/2001/bill\\_rights\\_act.html](http://www.justice.govt.nz/pubs/other/pamphlets/2001/bill_rights_act.html)

# ENGLISH BILL OF RIGHTS

[1689]

## **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 eighty-eight [old style date] present unto their Majesties, then called and known by the names and style of William and Mary, prince and princess of Orange, being present in their proper persons, 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 endeavour 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 committing and prosecuting divers worthy prelates for humbly petitioning to be excused from concurring to the said assumed power;
  - By issuing and causing to be executed a commission under the great seal for erecting a court called the Court of Commissioners for Ecclesiastical Causes;
  - 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 causing several good subjects being Protestants to be disarmed at the same time when papists were both armed and employed contrary to law;
  - By violating the freedom of election of members to serve in Parliament;
  - 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;
  - And whereas of late years partial corrupt and unqualified persons have been returned and served on juries in trials, and particularly divers jurors in trials for high treason which were not freeholders;
  - 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 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;
- And whereas the said late King James the Second having abdicated the government and the throne being thereby vacant, his Highness the prince of Orange (whom it hath pleased Almighty God to make the glorious instrument of delivering this kingdom from popery and arbitrary power) did (by the advice of the Lords Spiritual and Temporal and divers principal persons of the Commons) cause letters to be written to the Lords Spiritual and Temporal being Protestants, and other letters to the several counties, cities, universities, boroughs and cinque ports, for the choosing of such persons to represent them as were of right to be sent to Parliament, to meet and sit at Westminster upon the two and twentieth day of January in this year one thousand six hundred eighty and eight [old style date], in order to such an establishment as that their religion, laws and liberties might not again be in danger of being subverted, upon which letters elections having been accordingly made;
- And thereupon the said Lords Spiritual and Temporal and Commons, pursuant to their respective letters and elections, being now assembled in a full and free representative of this nation, taking into their most serious consideration the best means for attaining the ends aforesaid, do in the first place (as their ancestors in like case have usually



done) for the vindicating and asserting their ancient rights and liberties declare:

- That the pretended power of suspending the laws or the execution of laws by regal authority without consent of Parliament is illegal;
- That the pretended power of dispensing with laws or the execution of laws by regal authority, as it hath been assumed and exercised of late, is illegal;
- That the commission for erecting the late Court of Commissioners for Ecclesiastical Causes, and all other commissions and courts of like nature, are illegal and pernicious;
- That levying money for or to the use of the Crown by pretence of prerogative, 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 the subjects which are Protestants may have arms for their defence suitable to their conditions and as allowed by law;
- That election of members of Parliament ought to be free;
- That the freedom of speech and debates or proceedings in Parliament ought not to be impeached or questioned in any court or place out of Parliament;
- That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted;
- That jurors ought to be duly impanelled and returned, and jurors which pass upon men in trials for high treason ought to be freeholders;
- That all grants and promises of fines and forfeitures of particular persons before conviction are illegal and void;
- And that for redress of all grievances, and for the amending, strengthening and preserving of the laws, Parliaments ought to be held frequently.

And they do claim, demand and insist upon all and singular the premises as their undoubted rights and liberties, and that no declarations, judgments, doings or proceedings to the prejudice of the people in any of the said premises ought in any wise to be drawn hereafter into consequence or example; to which demand of their rights they are particularly encouraged by the declaration of his Highness the prince of Orange as being the only means for obtaining a full redress and remedy therein.

Having therefore an entire confidence that his said Highness the prince of Orange will perfect the deliverance so far advanced by him, and will still preserve them from the violation of their rights which they have here asserted, and from all other attempts upon their religion, rights and liberties, the said Lords Spiritual and Temporal and Commons assembled at Westminster do resolve that William and Mary, prince and princess of Orange, be and be declared king and queen of England, France and Ireland and the dominions thereunto belonging, to hold the crown and royal dignity of the said kingdoms and dominions to them, the said prince and princess, during their lives and the life of the survivor to them, and that the sole and full exercise of the regal power be only in and executed by the said prince of Orange in the names of the said prince and princess during their joint lives, and after their deceases the said crown and royal dignity of the same kingdoms and dominions to be to the heirs of the body of the said princess, and for default of such issue to the Princess Anne of Denmark and the heirs of her body, and for default of such issue to the heirs of the body of the said prince of Orange. And the Lords Spiritual and Temporal and Commons do pray the said prince and princess to accept the same accordingly.

And that the oaths hereafter mentioned be taken by all persons of whom the oaths have allegiance and supremacy might be required by law, instead of them; and that the said oaths of allegiance and supremacy be abrogated.

"I, A.B., do sincerely promise and swear that I will be faithful and bear true allegiance to their Majesties King William and Queen Mary. So help me God."

"I, A.B., do swear that I do from my heart abhor, detest and abjure as impious and heretical this damnable doctrine and position, that princes excommunicated or deprived by the Pope or any authority of the see of Rome may be deposed or murdered by their subjects or any other whatsoever. And I do declare that no foreign prince, person, prelate, state or potentate hath or ought to have any jurisdiction, power, superiority, pre-eminence or authority, ecclesiastical or spiritual, within this realm. So help me God."

Upon which their said Majesties did accept the crown and royal dignity of the kingdoms of England, France and Ireland, and the dominions thereunto belonging, according to the resolution and desire of the said Lords and Commons contained in the said declaration.

And thereupon their Majesties were pleased that the said Lords Spiritual and Temporal and Commons, being the two Houses of Parliament, should continue to sit, and with their Majesties' royal concurrence make effectual provision for the settlement of the religion, laws and liberties of this kingdom, so that the same for the future might not be in danger again of being subverted, to which the said Lords Spiritual and Temporal and Commons did agree, and proceed to act accordingly.

Now in pursuance of the premises the said Lords Spiritual and Temporal and Commons in Parliament assembled, for the ratifying, confirming and establishing the said declaration and the articles, clauses, matters and things therein contained by the force of law made in due form by authority of Parliament, do pray that it may be declared and enacted that all and singular the rights and liberties asserted and claimed in the said declaration are the true, ancient and indubitable rights and liberties of the people of this kingdom, and so shall be esteemed, allowed, adjudged, deemed and taken to be; and that all and every the particulars aforesaid shall be firmly and strictly holden and observed as they are expressed in the said declaration, and all officers and ministers whatsoever shall serve their Majesties and their successors according to the same in all time to come.

And the said Lords Spiritual and Temporal and Commons, seriously considering how it hath pleased Almighty God in his marvellous providence and merciful goodness to this nation to provide and preserve their said Majesties' royal persons most happily to reign over us upon the throne of their ancestors, for which they render unto him from the bottom of their hearts their humblest thanks and praises, do truly, firmly, assuredly and in the sincerity of their hearts think, and do hereby recognize, acknowledge and declare, that King James the Second having abdicated the government, and their Majesties having accepted the crown and royal dignity as aforesaid, their said Majesties did become, were, are and of right ought to be by the laws of this realm our sovereign liege lord and lady, king and queen of England, France and Ireland and the dominions thereunto belonging, in and to whose princely persons the royal state, crown and dignity of the said realms with all honours, styles, titles, regalities, prerogatives, powers, jurisdictions and authorities to the same belonging and appertaining are most fully, rightfully and entirely invested and incorporated, united and annexed. And for preventing all questions and divisions in this realm by reason of any pretended titles to the crown, and for preserving a certainty in the succession thereof, in and upon which the unity, peace, tranquility and safety of this nation doth under God wholly consist and depend, the said Lords Spiritual and Temporal and Commons do beseech their Majesties that it may be enacted, established and declared, that the crown and regal government of the said kingdoms and dominions, with all and singular the premises thereunto belonging and appertaining, shall be and continue to their said Majesties and the survivor of them during their lives and the life of the survivor of them, and that the entire, perfect and full exercise of the regal power and government be only in and executed by his Majesty in the names of both their Majesties during their joint lives; and after their deceases the said crown and premises shall be and remain to the heirs of the body of her Majesty, and for default of such issue to her Royal Highness the Princess Anne of Denmark and the heirs of the body of his said Majesty; and thereunto the said Lords Spiritual and Temporal and Commons do in the name of all the people aforesaid most humbly and faithfully submit themselves, their heirs and posterities for ever, and do faithfully promise that they will stand to, maintain and defend their said Majesties, and also the limitation and succession of the crown herein specified and contained, to the utmost of their powers with their lives and estates against all persons whatsoever that shall attempt anything to the contrary.

And whereas it hath been found by experience that it is inconsistent with the safety and welfare of this Protestant kingdom to be governed by a popish prince, or by any king or queen marrying a papist, the said Lords Spiritual and Temporal and Commons do further pray that it may be enacted, that all and every person and persons that is, are or shall be reconciled to or shall hold communion with the see or Church of Rome, or shall profess the popish religion, or shall marry a papist, shall be excluded and be for ever incapable to inherit, possess or enjoy the crown and government of this realm and Ireland and the dominions thereunto belonging or any part of the same, or to have, use or exercise any regal power, authority or jurisdiction within the same; and in all and every such case or cases the people of these realms shall be and are hereby absolved of their allegiance; and the said crown and government shall from time to time descend to and be enjoyed by such person or persons being Protestants as should have inherited and enjoyed the same in case the said person or persons so reconciled, holding communion or professing or marrying as aforesaid were naturally dead; and that every king and queen of this realm who at any time hereafter shall come to and succeed in the imperial crown of this kingdom shall on the first day of the meeting of the first Parliament next after his or her coming to the crown, sitting in his or her throne in the House of Peers in the presence of the Lords and Commons therein assembled, or at his or her coronation before such person or persons who

shall administer the coronation oath to him or her at the time of his or her taking the said oath (which shall first happen), make, subscribe and audibly repeat the declaration mentioned in the statute made in the thirtieth year of the reign of King Charles the Second entitled, *An Act for the more effectual preserving the king's person and government by disabling papists from sitting in either House of Parliament*. But if it shall happen that such king or queen upon his or her succession to the crown of this realm shall be under the age of twelve years, then every such king or queen shall make, subscribe and audibly repeat the same declaration at his or her coronation or the first day of the meeting of the first Parliament as aforesaid which shall first happen after such king or queen shall have attained the said age of twelve years.

All which their Majesties are contented and pleased shall be declared, enacted and established by authority of this present Parliament, and shall stand, remain and be the law of this realm for ever; and the same are by their said Majesties, by and with the advice and consent of the Lords Spiritual and Temporal and Commons in Parliament assembled and by the authority of the same, declared, enacted and established accordingly.

II. And be it further declared and enacted by the authority aforesaid, that from and after this present session of Parliament no dispensation by *non obstante* of or to any statute or any part thereof shall be allowed, but that the same shall be held void and of no effect, except a dispensation be allowed of in such statute, and except in such cases as shall be specially provided for by one or more bill or bills to be passed during this present session of Parliament.

III. Provided that no charter or grant or pardon granted before the three and twentieth day of October in the year of our Lord one thousand six hundred eighty-nine [old style date] shall be any ways impeached or invalidated by this Act, but that the same shall be and remain of the same force and effect in law and no other than as if this Act had never been made.

[http://www.constitution.org/eng/eng\\_bor.htm](http://www.constitution.org/eng/eng_bor.htm)

## *Virginia Bill of Rights* *June 12, 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 by nature equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity; namely, the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety.

2. That all power is vested in, and consequently derived from, the people; that magistrates are their trustees and servants, and at all times amenable to them.

3. That government is, or ought to be, instituted for the common benefit, protection, and 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 and safety, and is most effectually secured against the danger of maladministration; and that whenever any government shall be found inadequate or contrary to these purposes, a majority of the community hath an indubitable, unalienable, and indefeasible right, to reform, alter, or abolish it, in such manner as shall be judged most conducive to the publick 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 publick services; which, not being descendible, neither ought the offices of magistrate, legislator, or judge, to be hereditary.

5. That the legislative and executive powers of the state should be separate and distinct from the judicative; and that the members of the two first may be restrained from oppression, by feeling and 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, and regular elections, in which all, or any part of the former members, to be again eligible, or ineligible, as the laws shall direct.

6. That elections of members to serve as representatives of the people, in assembly, ought to be free; and that all men, having sufficient evidence of permanent common interest with, and attachment to, the community, have the right of suffrage, and cannot be taxed or deprived of their property for publick 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 publick 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 and nature of his accusation, to be confronted with the accusers and witnesses, to call for evidence in his favour, 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 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 and unusual punishments inflicted.

10. That general warrants, whereby any officer or messenger may be commanded to search suspected places without evidence of a fact committed, or to seize any person or persons not named, or whose offence is not particularly described and supported by evidence, are grievous and oppressive, and ought not to be granted.

11. That in controversies respecting property, and in suits between man and man, the ancient trial by jury is preferable to any other, and ought to be held sacred.

12. That the freedom of the press is one of the great bulwarks of liberty, and can never be restrained but by despotick governments.

13. That a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defence 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, and governed by, the civil power.

14. That the people have a right to uniform government; and therefore, that no government separate from, or independent of, the government of *Virginia*, ought to be erected or established within the limits thereof.

15. 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, and virtue, and by frequent recurrence to fundamental principles.

16. That religion, or the duty which we owe to our CREATOR, and the manner of discharging it, can be directed

only by reason and conviction, not by force or violence; and therefore all men are equally entitled to the free exercise of religion, according to the dictates of conscience; and that it is the mutual duty of all to practice Christian forbearance, love, and charity, towards each other.

[http://www.constitution.org/bor/vir\\_bor.htm](http://www.constitution.org/bor/vir_bor.htm)

## *Declaration of the Rights of Man and the Citizen (August 1789)*

The Representatives of the French people, organized in National Assembly, considering that ignorance, forgetfulness, or contempt of the rights of man are the sole causes of public miseries and the corruption of governments, have resolved to set forth in a solemn declaration the natural, inalienable, and sacred rights of man, so that this declaration, being ever present to all the members of the social body, may unceasingly remind them of their rights and duties; in order that the acts of the legislative power, and those of the executive power, may at each moment be compared with the aim and of every political institution and thereby may be more respected; and in order that the demands of the citizens, grounded henceforth upon simple and incontestable principles, may always take the direction of maintaining the constitution and welfare of all.

In consequence, the National Assembly recognizes and declares, in the presence and under the auspices of the Supreme Being, the following rights of man and citizen:

Articles:

1. Men are born free and remain free and equal in rights. Social distinctions can be based only on public utility.
2. The aim of every political association is the preservation of the natural and imprescriptible rights of man. These rights are liberty, property, security, and resistance to oppression.
3. The sources of all sovereignty resides essentially in the nation; no body, no individual can exercise authority that does not proceed from it in plain terms.
4. Liberty consists in the power to do anything that does not injure others; accordingly, the exercise of the rights of each man has no limits except those that secure the enjoyment of these same rights to the other members of society. These limits can be determined only by law.
5. The law has only the rights to forbid such actions as are injurious to society. Nothing can be forbidden that is not interdicted by the law, and no one can be constrained to do that which it does not order.
6. Law is the expression of the general will. All citizens have the right to take part personally, or by their representatives, and its formation. It must be the same for all, whether it protects or punishes. All citizens, being equal in its eyes, are equally eligible to all public dignities, places, and employments, according to their capacities, and without other distinction than that of their virtues and talents.
7. No man can be accused, arrested, or detained, except in the cases determined by the law and according to the forms it has prescribed. Those who procure, expedite, execute, or cause arbitrary orders to be executed, ought to be punished: but every citizen summoned were seized in virtue of the law ought to render instant obedience; he makes himself guilty by resistance.
8. The law ought only to establish penalties that are strict and obviously necessary, and no one can be punished except in virtue of a law established and promulgated prior to the offense and legally applied.
9. Every man being presumed innocent until he has been pronounced guilty, if it is thought indispensable to arrest him, all severity that may not be necessary to secure his person ought to be strictly suppressed by law.
10. No one should be disturbed on account of his opinions, even religious, provided their manifestation does not upset the public order established by law.
11. The free communication of ideas and opinions is one of the most precious of the rights of man; every citizen can then freely speak, write, and print, subject to responsibility for the abuse of this freedom in the cases is determined by law.
12. The guarantee of the rights of man and citizen requires a public force; this force then is instituted for the advantage of all and not for the personal benefit of those to whom it is entrusted.
13. A general tax is indispensable for the maintenance of the public force and for the expenses of administration; it ought to be equally apportioned among all citizens according to their means.
14. All the citizens have a right to ascertain, by themselves or by their representatives, the necessity of the public tax, to consent to it freely, to follow the employment of it, and to determine the quota, the assessment, the collection, and the duration of it.
15. Society has the right to call for an account of his administration by every public agent.
16. Any society in which the guarantee of the rights is not secured, or the separation of powers not determined, has no constitution at all.
17. Property being a sacred to and inviolable right, no one can be deprived of it, unless illegally established public necessity evidently demands it, under the condition of a just and prior indemnity.

<http://www.historyguide.org/intellect/declaration.html>

**2** If any one bring an accusation against a man, and the accused go to the river and leap into the river, if he sink in the river his accuser shall take possession of his house. But if the river prove that the accused is not guilty, and he escape unhurt, then he who had brought the accusation shall be put to death, while he who leaped into the river shall take possession of the house that had belonged to his accuser.

**3** If he satisfy the elders to impose a fine of grain or money, he shall receive the fine that the action produces.

**5** If a judge try a case, reach a decision, and present his judgment in writing; if later error shall appear in his decision, and it be through his own fault, then he shall pay twelve times the fine set by him in the case, and he shall be publicly removed from the judge's bench, and never again shall he sit there to render judgement.

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**6** If any one steal the property of a temple or of the court, he shall be put to death, and also the one who receives the stolen thing from him shall be put to death.

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**7** If any one buy from the son or the slave of another man, without witnesses or a contract, silver or gold, a male or female slave, an ox or a sheep, an ass or anything, or if he take it in charge, he is considered a thief and shall be put to death.

**8** If any one steal cattle or sheep, or an ass, or a pig or a goat, if it belong to a god or to the court, the thief shall pay thirtyfold; if they belonged to a freed man of the king he shall pay tenfold; if the thief has nothing with which to pay he shall be put to death.

**10** If the purchaser does not bring the merchant and the witnesses before whom he bought the article, but its owner bring witnesses who identify it, then the buyer is the thief and shall be put to death, and the owner receives the lost article.

**14** If any one steal the minor son of another, he shall be put to death.

**15** If any one take a male or female slave of the court, or a male or female slave of a freed man, outside the city gates, he shall be put to death.

**16** If any one receive into his house a runaway male or female slave of the court, or of a freedman, and does not bring it out at the public proclamation of the major domus, the master of the house shall be put to death.

**17** If any one find runaway male or female slaves in the open country and bring them to their masters, the master of the slaves shall pay him two shekels of silver.

**18** If the slave will not give the name of the master, the finder shall bring him to the palace; a further investigation must follow, and the slave shall be returned to his master.

**19** If he hold the slaves in his house, and they are caught there, he shall be put to death.

**20** If the slave that he caught run away from him, then shall he swear to the owners of the slave, and he is free of all blame.

**21** If any one break a hole into a house (break in to steal), he shall be put to death before that hole and be buried.

**22** If any one is committing a robbery and is caught, then he shall be put to death.

**23** If the robber is not caught, then shall he who was robbed claim under oath the amount of his loss; then shall the community, and . . . on whose ground and territory and in whose domain it was compensate him for the goods stolen.

**25** If fire break out in a house, and some one who comes to put it out cast his eye upon the property of the owner

**23** If the robber is not caught, then shall he who was robbed claim under oath the amount of his loss; then shall the community, and . . . on whose ground and territory and in whose domain it was compensate him for the goods stolen.

**25** If fire break out in a house, and some one who comes to put it out cast his eye upon the property of the owner of the house, and take the property of the master of the house, he shall be thrown into that self-same fire.

**26** If a chieftain or a man (common soldier), who has been ordered to go upon the king's highway for war does not go, but hires a mercenary, if he withholds the compensation, then shall this officer or man be put to death, and he who represented him shall take possession of his house.

**29** If his son is still young, and can not take possession, a third of the field and garden shall be given to his mother, and she shall bring him up.

**30** If a chieftain or a man leave his house, garden, and field and hires it out, and some one else takes possession of his house, garden, and field and uses it for three years: if the first owner return and claims his house, garden, and field, it shall not be given to him, but he who has taken possession of it and used it shall continue to use it.

**32** If a chieftain or a man is captured on the "Way of the King" (in war), and a merchant buy him free, and bring him back to his place; if he have the means in his house to buy his freedom, he shall buy himself free: if he have nothing in his house with which to buy himself free, he shall be bought free by the temple of his community; if there be nothing in the temple with which to buy him free, the court shall buy his freedom. His field, garden, and house shall not be given for the purchase of his freedom.

**35** If any one buy the cattle or sheep which the king has given to chieftains from him, he loses his money.

**36** The field, garden, and house of a chieftain, of a man, or of one subject to quit-rent, can not be sold.

**38** A chieftain, man, or one subject to quit-rent can not assign his tenure of field, house, and garden to his wife or daughter, nor can he assign it for a debt.

**39** He may, however, assign a field, garden, or house which he has bought, and holds as property, to his wife or daughter or give it for debt.

**40** He may sell field, garden, and house to a merchant (royal agents) or to any other public official, the buyer holding field, house, and garden for its usufruct.

**41** If any one fence in the field, garden, and house of a chieftain, man, or one subject to quit-rent, furnishing the palings therefor; if the chieftain, man, or one subject to quit-rent return to field, garden, and house, the palings which were given to him become his property.

**42** If any one take over a field to till it, and obtain no harvest therefrom, it must be proved that he did no work on the field, and he must deliver grain, just as his neighbor raised, to the owner of the field.

**43** If he do not till the field, but let it lie fallow, he shall give grain like his neighbor's to the owner of the field, and the field which he let lie fallow he must plow and sow and return to its owner.

**44** If any one take over a waste-lying field to make it arable, but is lazy, and does not make it arable, he shall plow the fallow field in the fourth year, harrow it and till it, and give it back to its owner, and for each ten gan (a measure of area) ten gur of grain shall be paid.

**48** If any one owe a debt for a loan, and a storm prostrates the grain, or the harvest fail, or the grain does not grow for lack of water; in that year he need not give his creditor any grain, he washes his debt-tablet in water and pays no rent for this year.

**49** If any one take money from a merchant, and give the merchant a field tillable for corn or sesame and order him to plant corn or sesame in the field, and to harvest the crop; if the cultivator plant corn or sesame in the field, at the harvest the corn or sesame that is in the field shall belong to the owner of the field and he shall pay corn as rent, for the money he received from the merchant, and the livelihood of the cultivator shall he give to the merchant.



**50** If he give a cultivated corn-field or a cultivated sesame-field, the corn or sesame in the field shall belong to the owner of the field, and he shall return the money to the merchant as rent.

**53** If any one be too lazy to keep his dam in proper condition, and does not so keep it; if then the dam break and all the fields be flooded, then shall he in whose dam the break occurred be sold for money, and the money shall replace the corn which he has caused to be ruined.

**55** If any one open his ditches to water his crop, but is careless, and the water flood the field of his neighbor, then he shall pay his neighbor corn for his loss.

**56** If a man let in the water, and the water overflow the plantation of his neighbor, he shall pay ten gur of corn for every ten gan of land.

**57** If a shepherd, without the permission of the owner of the field, and without the knowledge of the owner of the sheep, lets the sheep into a field to graze, then the owner of the field shall harvest his crop, and the shepherd, who had pastured his flock there without permission of the owner of the field, shall pay to the owner twenty gur of corn for every ten gan.

**58** If after the flocks have left the pasture and been shut up in the common fold at the city gate, any shepherd let them into a field and they graze there, this shepherd shall take possession of the field which he has allowed to be grazed on, and at the harvest he must pay sixty gur of corn for every ten gan.

**59** If any man, without the knowledge of the owner of a garden, fell a tree in a garden he shall pay half a mina in money.

**60** If any one give over a field to a gardener, for him to plant it as a garden, if he work at it, and care for it for four years, in the fifth year the owner and the gardener shall divide it, the owner taking his part in charge.

**61** If the gardener has not completed the planting of the field, leaving one part unused, this shall be assigned to him as his.

**62** If he do not plant the field that was given over to him as a garden, if it be arable land (for corn or sesame) the gardener shall pay the owner the produce of the field for the years that he let it lie fallow, according to the product of neighboring fields, put the field in arable condition and return it to its owner.

**63** If he transform waste land into arable fields and return it to its owner, the latter shall pay him for one year ten gur for ten gan.

**102** If a merchant entrust money to an agent (broker) for some investment, and the broker suffer a loss in the place to which he goes, he shall make good the capital to the merchant.

**103** If, while on the journey, an enemy take away from him anything that he had, the broker shall swear by God and be free of obligation.

**104** If a merchant give an agent corn, wool, oil, or any other goods to transport, the agent shall give a receipt for the amount, and compensate the merchant therefor. Then he shall obtain a receipt from the merchant for the money that he gives the merchant.

**105** If the agent is careless, and does not take a receipt for the money which he gave the merchant, he can not consider the unreceipted money as his own.

**108** If a tavern-keeper (feminine) does not accept corn according to gross weight in payment of drink, but takes money, and the price of the drink is less than that of the corn, she shall be convicted and thrown into the water.

**109** If conspirators meet in the house of a tavern-keeper, and these conspirators are not captured and delivered to the court, the tavern-keeper shall be put to death.

**112** If any one be on a journey and entrust silver, gold, precious stones, or any movable property to another, and wish to recover it from him; if the latter do not bring all of the property to the appointed place, but appropriate it to his own use, then shall this man, who did not bring the property to hand it over, be convicted, and he shall pay fivefold for all that had been entrusted to him.

**113** If any one have consignment of corn or money, and he take from the granary or box without the knowledge of the owner, then shall he who took corn without the knowledge of the owner out of the granary or money out of the box be legally convicted, and repay the corn he has taken. And he shall lose whatever commission was paid to him, or due him.

**116** If the prisoner die in prison from blows or maltreatment, the master of the prisoner shall convict the merchant before the judge. If he was a free-born man, the son of the merchant shall be put to death; if it was a slave, he shall pay one-third of a mina of gold, and all that the master of the prisoner gave he shall forfeit.

**117** If any one fail to meet a claim for debt, and sell himself, his wife, his son, and daughter for money or give them away to forced labor: they shall work for three years in the house of the man who bought them, or the proprietor, and in the fourth year they shall be set free.

**118** If he give a male or female slave away for forced labor, and the merchant sublease them, or sell them for money, no objection can be raised.

**119** If any one fail to meet a claim for debt, and he sell the maid servant who has borne him children, for money, the money which the merchant has paid shall be repaid to him by the owner of the slave and she shall be freed.

**120** If any one store corn for safe keeping in another person's house, and any harm happen to the corn in storage, or if the owner of the house open the granary and take some of the corn, or if especially he deny that the corn was stored in his house: then the owner of the corn shall claim his corn before God (on oath), and the owner of the house shall pay its owner for all of the corn that he took.

**121** If any one store corn in another man's house he shall pay him storage at the rate of one gur for every five ka of corn per year.

**122** If any one give another silver, gold, or anything else to keep, he shall show everything to some witness, draw up a contract, and then hand it over for safe keeping.

**123** If he turn it over for safe keeping without witness or contract, and if he to whom it was given deny it, then he has no legitimate claim.

**124** If any one deliver silver, gold, or anything else to another for safe keeping, before a witness, but he deny it, he shall be brought before a judge, and all that he has denied he shall pay in full.

**125** If any one place his property with another for safe keeping, and there, either through thieves or robbers, his property and the property of the other man be lost, the owner of the house, through whose neglect the loss took place, shall compensate the owner for all that was given to him in charge. But the owner of the house shall try to follow up and recover his property, and take it away from the thief.

**127** If any one "point the finger" (slander) at a sister of a god or the wife of any one, and can not prove it, this man shall be taken before the judges and his brow shall be marked. (by cutting the skin, or perhaps hair.)

**137** If a man wish to separate from a woman who has borne him children, or from his wife who has borne him children: then he shall give that wife her dowry, and a part of the usufruct of field, garden, and property, so that she can rear her children. When she has brought up her children, a portion of all that is given to the children, equal as that of one son, shall be given to her. She may then marry the man of her heart.

**138** If a man wishes to separate from his wife who has borne him no children, he shall give her the amount of her purchase money and the dowry which she brought from her father's house, and let her go.

**139** If there was no purchase price he shall give her one mina of gold as a gift of release.

**140** If he be a freed man he shall give her one-third of a mina of gold.

**141** If a man's wife, who lives in his house, wishes to leave it, plunges into debt, tries to ruin her house, neglects her husband, and is judicially convicted: if her husband offer her release, she may go on her way, and he gives her nothing as a gift of release. If her husband does not wish to release her, and if he take another wife, she shall remain as servant in her husband's house.

**142** If a woman quarrel with her husband, and say: "You are not congenial to me," the reasons for her prejudice must be presented. If she is guiltless, and there is no fault on her part, but he leaves and neglects her, then no guilt attaches to this woman, she shall take her dowry and go back to her father's house.

**143** If she is not innocent, but leaves her husband, and ruins her house, neglecting her husband, this woman shall be cast into the water.

**168** If a man wish to put his son out of his house, and declare before the judge: "I want to put my son out," then the judge shall examine into his reasons. If the son be guilty of no great fault, for which he can be rightfully put out, the father shall not put him out.

**169** If he be guilty of a grave fault, which should rightfully deprive him of the filial relationship, the father shall forgive him the first time; but if he be guilty of a grave fault a second time the father may deprive his son of all filial relation.

**170** If his wife bear sons to a man, or his maid-servant have borne sons, and the father while still living says to the children whom his maid-servant has borne: "My sons," and he count them with the sons of his wife; if then the father die, then the sons of the wife and of the maid-servant shall divide the paternal property in common. The son of the wife is to partition and choose.

**171** If, however, the father while still living did not say to the sons of the maid-servant: "My sons," and then the father dies, then the sons of the maid-servant shall not share with the sons of the wife, but the freedom of the maid and her sons shall be granted. The sons of the wife shall have no right to enslave the sons of the maid; the wife shall take her dowry (from her father), and the gift that her husband gave her and deeded to her (separate from dowry, or the purchase-money paid her father), and live in the home of her husband: so long as she lives she shall use it, it shall not be sold for money. Whatever she leaves shall belong to her children.

**172** If her husband made her no gift, she shall be compensated for her gift, and she shall receive a portion from the estate of her husband, equal to that of one child. If her sons oppress her, to force her out of the house, the judge shall examine into the matter, and if the sons are at fault the woman shall not leave her husband's house. If the woman desire to leave the house, she must leave to her sons the gift which her husband gave her, but she may take the dowry of her father's house. Then she may marry the man of her heart.

**173** If this woman bear sons to her second husband, in the place to which she went, and then die, her earlier and later sons shall divide the dowry between them.

**174** If she bear no sons to her second husband, the sons of her first husband shall have the dowry.

**175** If a State slave or the slave of a freed man marry the daughter of a free man, and children are born, the master of the slave shall have no right to enslave the children of the free.

**176** If, however, a State slave or the slave of a freed man marry a man's daughter, and after he marries her she bring a dowry from a father's house, if then they both enjoy it and found a household, and accumulate means, if then the slave die, then she who was free born may take her dowry, and all that her husband and she had earned; she shall divide them into two parts, one-half the master for the slave shall take, and the other half shall the free-born woman take for her children. If the free-born woman had no gift she shall take all that her husband and she had earned and divide it into two parts; and the master of the slave shall take one-half and she shall take the other for her children.

**177** If a widow, whose children are not grown, wishes to enter another house (remarry), she shall not enter it without the knowledge of the judge. If she enter another house the judge shall examine the state of the house of her first husband. Then the house of her first husband shall be entrusted to the second husband and the woman herself as managers. And a record must be made thereof. She shall keep the house in order, bring up the children, and not sell the house-hold utensils. He who buys the utensils of the children of a widow shall lose his money, and the goods shall return to their owners.

- [195](#) If a son strike his father, his hands shall be hewn off.
- [196](#) If a man put out the eye of another man, his eye shall be put out. [ An eye for an eye ]
- [197](#) If he break another man's bone, his bone shall be broken.
- [198](#) If he put out the eye of a freed man, or break the bone of a freed man, he shall pay one gold mina.
- [199](#) If he put out the eye of a man's slave, or break the bone of a man's slave, he shall pay one-half of its value.
- [200](#) If a man knock out the teeth of his equal, his teeth shall be knocked out. [ A tooth for a tooth ]
- [201](#) If he knock out the teeth of a freed man, he shall pay one-third of a gold mina.
- [202](#) If any one strike the body of a man higher in rank than he, he shall receive sixty blows with an ox-whip in public.
- [203](#) If a free-born man strike the body of another free-born man or equal rank, he shall pay one gold mina.
- [204](#) If a freed man strike the body of another freed man, he shall pay ten shekels in money.
- [205](#) If the slave of a freed man strike the body of a freed man, his ear shall be cut off.
- [206](#) If during a quarrel one man strike another and wound him, then he shall swear, "I did not injure him wittingly," and pay the physicians.
- [207](#) If the man die of his wound, he shall swear similarly, and if he (the deceased) was a free-born man, he shall pay half a mina in money.
- [208](#) If he was a freed man, he shall pay one-third of a mina.
- [209](#) If a man strike a free-born woman so that she lose her unborn child, he shall pay ten shekels for her loss.
- [210](#) If the woman die, his daughter shall be put to death.
- [211](#) If a woman of the free class lose her child by a blow, he shall pay five shekels in money.
- [212](#) If this woman die, he shall pay half a mina.
- [213](#) If he strike the maid-servant of a man, and she lose her child, he shall pay two shekels in money.
- [214](#) If this maid-servant die, he shall pay one-third of a mina.
- [215](#) If a physician make a large incision with an operating knife and cure it, or if he open a tumor (over the eye) with an operating knife, and saves the eye, he shall receive ten shekels in money.
- [216](#) If the patient be a freed man, he receives five shekels.
- [217](#) If he be the slave of some one, his owner shall give the physician two shekels.
- [218](#) If a physician make a large incision with the operating knife, and kill him, or open a tumor with the operating knife, and cut out the eye, his hands shall be cut off.
- [219](#) If a physician make a large incision in the slave of a freed man, and kill him, he shall replace the slave with another slave.
- [220](#) If he had opened a tumor with the operating knife, and put out his eye, he shall pay half his value.
- [221](#) If a physician heal the broken bone or diseased soft part of a man, the patient shall pay the physician five shekels in money.
- [222](#) If he were a freed man he shall pay three shekels.
- [223](#) If he were a slave his owner shall pay the physician two shekels.

**224** If a veterinary surgeon perform a serious operation on an ass or an ox, and cure it, the owner shall pay the surgeon one-sixth of a shekel as a fee.

**225** If he perform a serious operation on an ass or ox, and kill it, he shall pay the owner one-fourth of its value.

**226** If a barber, without the knowledge of his master, cut the sign of a slave on a slave not to be sold, the hands of this barber shall be cut off.

**227** If any one deceive a barber, and have him mark a slave not for sale with the sign of a slave, he shall be put to death, and buried in his house. The barber shall swear: "I did not mark him wittingly," and shall be guiltless.

**228** If a builder build a house for some one and complete it, he shall give him a fee of two shekels in money for each sar of surface.

**229** If a builder build a house for some one, and does not construct it properly, and the house which he built fall in and kill its owner, then that builder shall be put to death.

**230** If it kill the son of the owner the son of that builder shall be put to death.

**231** If it kill a slave of the owner, then he shall pay slave for slave to the owner of the house.

**232** If it ruin goods, he shall make compensation for all that has been ruined, and inasmuch as he did not construct properly this house which he built and it fell, he shall re-erect the house from his own means.

**233** If a builder build a house for some one, even though he has not yet completed it; if then the walls seem toppling, the builder must make the walls solid from his own means.

**234** If a shipbuilder build a boat of sixty gur for a man, he shall pay him a fee of two shekels in money.

**235** If a shipbuilder build a boat for some one, and do not make it tight, if during that same year that boat is sent away and suffers injury, the shipbuilder shall take the boat apart and put it together tight at his own expense. The tight boat he shall give to the boat owner.

**236** If a man rent his boat to a sailor, and the sailor is careless, and the boat is wrecked or goes aground, the sailor shall give the owner of the boat another boat as compensation.

**237** If a man hire a sailor and his boat, and provide it with corn, clothing, oil and dates, and other things of the kind needed for fitting it: if the sailor is careless, the boat is wrecked, and its contents ruined, then the sailor shall compensate for the boat which was wrecked and all in it that he ruined.

**238** If a sailor wreck any one's ship, but saves it, he shall pay the half of its value in money.

**239** If a man hire a sailor, he shall pay him six gur of corn per year.

**240** If a merchantman run against a ferryboat, and wreck it, the master of the ship that was wrecked shall seek justice before God; the master of the merchantman, which wrecked the ferryboat, must compensate the owner for the boat and all that he ruined.

**241** If any one impresses an ox for forced labor, he shall pay one-third of a mina in money.

**242** If any one hire oxen for a year, he shall pay four gur of corn for plow-oxen.

**243** As rent of herd cattle he shall pay three gur of corn to the owner.

**244** If any one hire an ox or an ass, and a lion kill it in the field, the loss is upon its owner.

**245** If any one hire oxen, and kill them by bad treatment or blows, he shall compensate the owner, oxen for oxen.

**246** If a man hire an ox, and he break its leg or cut the ligament of its neck, he shall compensate the owner with ox for ox.

**247** If any one hire an ox, and put out its eye, he shall pay the owner one-half of its value.

**248** If any one hire an ox, and break off a horn, or cut off its tail, or hurt its muzzle, he shall pay one-fourth of its value in money.

**249** If any one hire an ox, and God strike it that it die, the man who hired it shall swear by God and be considered guiltless.

**250** If while an ox is passing on the street (market) some one push it, and kill it, the owner can set up no claim in the suit (against the hirer).

**251** If an ox be a goring ox, and it shown that he is a gorer, and he do not bind his horns, or fasten the ox up, and the ox gore a free-born man and kill him, the owner shall pay one-half a mina in money.

**252** If he kill a man's slave, he shall pay one-third of a mina.

**253** If any one agree with another to tend his field, give him seed, entrust a yoke of oxen to him, and bind him to cultivate the field, if he steal the corn or plants, and take them for himself, his hands shall be hewn off.

**254** If he take the seed-corn for himself, and do not use the yoke of oxen, he shall compensate him for the amount of the seed-corn.

**255** If he sublet the man's yoke of oxen or steal the seed-corn, planting nothing in the field, he shall be convicted, and for each one hundred gan he shall pay sixty gur of corn.

**256** If his community will not pay for him, then he shall be placed in that field with the cattle (at work).

**257** If any one hire a field laborer, he shall pay him eight gur of corn per year.

**258** If any one hire an ox-driver, he shall pay him six gur of corn per year.

**259** If any one steal a water-wheel from the field, he shall pay five shekels in money to its owner.

**260** If any one steal a shadduf (used to draw water from the river or canal) or a plow, he shall pay three shekels in money.

**261** If any one hire a herdsman for cattle or sheep, he shall pay him eight gur of corn per annum.

**263** If he kill the cattle or sheep that were given to him, he shall compensate the owner with cattle for cattle and sheep for sheep.

**264** If a herdsman, to whom cattle or sheep have been entrusted for watching over, and who has received his wages as agreed upon, and is satisfied, diminish the number of the cattle or sheep, or make the increase by birth less, he shall make good the increase or profit which was lost in the terms of settlement.

**265** If a herdsman, to whose care cattle or sheep have been entrusted, be guilty of fraud and make false returns of the natural increase, or sell them for money, then shall he be convicted and pay the owner ten times the loss.

**266** If the animal be killed in the stable by God ( an accident), or if a lion kill it, the herdsman shall declare his innocence before God, and the owner bears the accident in the stable.

**267** If the herdsman overlook something, and an accident happen in the stable, then the herdsman is at fault for the accident which he has caused in the stable, and he must compensate the owner for the cattle or sheep.

**268** If any one hire an ox for threshing, the amount of the hire is twenty ka of corn.

**269** If he hire an ass for threshing, the hire is twenty ka of corn.

**270** If he hire a young animal for threshing, the hire is ten ka of corn.

**271** If any one hire oxen, cart and driver, he shall pay one hundred and eighty ka of corn per day.

**272** If any one hire a cart alone, he shall pay forty ka of corn per day.

**273** If any one hire a day laborer, he shall pay him from the New Year until the fifth month (April to August, when days are long and the work hard) six gerahs in money per day; from the sixth month to the end of the year he shall give him five gerahs per day.

**274** If any one hire a skilled artizan, he shall pay as wages of the . . . five gerahs, as wages of the potter five gerahs, of a tailor five gerahs, of . . . gerahs, . . . of a ropemaker four gerahs, of . . . gerahs, of a mason . . . gerahs per day.

**275** If any one hire a ferryboat, he shall pay three gerahs in money per day.

**276** If he hire a freight-boat, he shall pay two and one-half gerahs per day.

**277** If any one hire a ship of sixty gur, he shall pay one-sixth of a shekel in money as its hire per day.

**278** If any one buy a male or female slave, and before a month has elapsed the benu-disease be developed, he shall return the slave to the seller, and receive the money which he had paid.

**279** If any one buy a male or female slave, and a third party claim it, the seller is liable for the claim.

**280** If while in a foreign country a man buy a male or female slave belonging to another of his own country; if when he return home the owner of the male or female slave recognize it: if the male or female slave be a native of the country, he shall give them back without any money.

**281** If they are from another country, the buyer shall declare the amount of money paid therefor to the merchant, and keep the male or female slave.

**282** If a slave say to his master: "You are not my master," if they convict him his master shall cut off his ear.

<http://www.wsu.edu/~dee/MESO/CODE.HTM>

# Objections of George Mason to Proposed Federal Constitution

June 18,19, 1788

## Objections to the Proposed Federal Constitution

There is no Declaration of Rights, and the Laws of the general Government being paramount to the Laws & Constitutions of the several States, the Declarations of Rights in the separate States are no Security. Nor are the People secured even in the Enjoyment of the Benefits of the common Law.

In the House of Representatives, there is not the Substance, but the Shadow only of Representation; which can never produce proper Information in the Legislature, or inspire Confidence in the People; the Laws will therefore be generally made by men little concern'd in, and unacquainted with their Effects and Consequences.

The Senate have the Power of altering all money Bills, and of originating appropriations of money, & the Sallerys of the Officers of their own Appointment, in Conjunction with the president of the United States; although' they are not the Representatives of the People, or amenable to them.

These, with their other great Powers (viz: their Power in the Appointment of Ambassadors and all public Officers, in making Treaties, and in trying all Impeachments) their Influence upon & Connection with the supreme Executive from these Causes, their Duration of Office, and their being a constant existing Body, almost continually sitting, joined with their being one compleat Branch of the Legislature will destroy any Ballance in the Government, & enable them to accomplish what Usurpations they please upon the Rights and Liberty of the People.

The Judiciary of the United States is so constructed & extended, as to absorb and destroy the Judiciarys of the several States; thereby rendering Law as tedious intricate and expensive, & Justice as unattainable, by a great Part of the Community, as in England, and enabling the Rich to oppress & ruin the Poor.

The President of the United States has no constitutional Council (a thing unknown in any safe & regular Government) he will therefore be unsupported by proper information and Advice; and will generally be directed by Minions and Favourites. Or he will become a Tool to the Senate—or a Council of State will grow out of the principal Officers of the great Departments; the worst & most dangerous of all Ingredients for such a Council, in a free country.

From this fatal Defect has arisen the improper Power of the Senate in the appointment of public Officers, and the alarming Dependence & Connection between that Branch of the Legislature and the supreme Executive.

Hence also sprung that unnecessary Officer, the Vice-President; who for want of other Employment, is made President of the Senate; thereby dangerously blending the executive and legislative Powers; besides always giving to some one of the States an unnecessary and unjust pre-eminence over the others.

The President of the United States has the unrestrained Power of granting Pardons for Treason; which may be sometimes exercised to screen from punishment those whom he had secretly instigated to commit the Crime, & thereby prevent a Discovery of his own Guilt.

By declaring all Treaties supreme Laws of the Land, the Executive & the Senate have in many Cases, an exclusive Power of ligation; which might have been avoided by proper Distinctions with respect to Treaties, and requiring the Assent of the House of Representatives, where it cou'd be done, with Safety.

By requiring a Majority to make all commercial & Navigation Laws, the five Southern States (whose Produce & Circumstances are totally different from that of the eight Northern & Eastern States) may be ruined; for such rigid & premature Regulations may be made, as will enable the Merchants of the Northern & Eastern States not only to demand an exorbitant Freight, but to monopolize the Purchase of the Commodities at their own Price, for many Years; to the great Injury of the landed Interest, & Impoverishment of the People; and the Danger is the greater, as the Gain on one Side will be in Proportion to the Loss on the other. Whereas requiring two thirds of the Members present in both Houses wou'd have produced mutual moderation, promoted the general Interest, and removed an insuperable Objection to the adoption of this Government.

Under their own Construction of the general Clause, at the End of the enumerated Powers, the Congress may grant Monopolies in Trade & Commerce, constitute new Crimes, inflict unusual and severe Punishments, & extend their Powers as far as they shall think proper; so that the state Legislatures have no Security for their Powers now pre-

sumed to remain to them, or the People for their Rights.

There is no Declaration of any kind, for preserving the Liberty of the Press, or the Tryal by Jury in Civil Causes; nor against the Danger of standing Armys in time of Peace.

The State Legislatures are restrained from laying Import Duties on their own Produce.

Both the general Legislature and the State Legislatures are expressly prohibited making ex post facto Laws: tho' there never was, nor can be a Legislature but must and will make such Laws, when Necessity & the public Safety require them; which will hereafter be a Breach of all the Constitutions in the Union, and afford precedents for other Innovations.

This Government will set out a moderate Aristocracy: it is at present impossible to foresee whether it will, in its operation, produce a Monarchy, or a corrupt tyrannical Aristocracy; it will most probably vibrate some years between the two, and then terminate in the one or the other.

<http://www.teachingamericanhistory.org/library/index.asp?document=1817>



## **An Address to the Colored People of the United States**

**Frederick Douglass**  
**September 29, 1848**

Under a solemn sense of duty, inspired by our relation to you as fellow sufferers under the multiplied and grievous wrongs to which we as a people are universally subjected,--we, a portion of your brethren, assembled in National Convention, at Cleveland, Ohio, take the liberty to address you on the subject of our mutual improvement and social elevation.

The condition of our variety of the human family, has long been cheer-less, if not hopeless, in this country. The doctrine perseveringly pro-claimed in high places in church and state, that it is impossible for colored men to rise from ignorance and debasement, to intelligence and respectability in this country, has made a deep impression upon the public mind generally, and is not without its effect upon us. Under this gloomy doctrine, many of us have sunk under the pall of despondency, and are making no effort to relieve ourselves, and have no heart to assist others. It is from this despond that we would deliver you. It is from this slumber we would rouse you. The present, is a period of activity and hope. The heavens above us are bright, and much of the darkness that overshadowed us has passed away. We can deal in the language of brilliant encouragement, and speak of success with certainty. That our condition has been gradually improving, is evident to all, and that we shall yet stand on a common platform with our fellow countrymen, in respect to political and social rights, is certain. The spirit of the age--the voice of inspiration--the deep longings of the human soul--the conflict of right with wrong--the up-ward tendency of the oppressed throughout the world, abound with evidence complete and ample, of the final triumph of right over wrong, of freedom over slavery, and equality over caste. To doubt this, is to forget the past, and blind our eyes to the present, as well as to deny and oppose the great law of progress, written out by the hand of God on the human soul. Great changes for the better have taken place and are still taking place. The last ten years have witnessed a mighty change in the estimate in which we as a people are regarded, both in this and other lands. England has given liberty to nearly one million, and France has emancipated three hundred thousand of our brethren, and our own country shakes with the agitation of our rights. Ten or twelve years ago, an educated colored man was regarded as a curiosity, and the thought of a colored man as an author, editor, lawyer or doctor, had scarce been conceived. Such, thank Heaven, is no longer the case. There are now those among us, whom we are not ashamed to regard as gentlemen and scholars, and who are acknowledged to be such, by many of the most learned and respectable in our land. Mountains of prejudice have been removed, and truth and light are dispelling the error and darkness of ages. The time was, when we trembled in the presence of a white man, and dared not assert, or even ask for our rights, but would be guided, directed, and governed, in any way we were demanded, without ever stopping to enquire whether we were right or wrong. We were not only slaves, but our ignorance made us willing slaves. Many of us uttered complaints against the faithful abolitionists, for the broad assertion of our rights; thought they went too far, and were only making our condition worse. This sentiment has nearly ceased to reign in the dark abodes of our hearts; we begin to see our wrongs as clearly, and comprehend our rights as fully, and as well as our white countrymen. This is a sign of progress; and evidence which cannot be gainsayed. It would be easy to present in this connection, a glowing comparison of our past with our present condition, showing that while the former was dark and dreary, the present is full of light and hope. It would be easy to draw a picture of our present achievements, and erect upon it a glorious future.

But, fellow countrymen, it is not so much our purpose to cheer you by the progress we have already made, as it is to stimulate you to still higher attainments. We have done much, but there is much more to be done.--While we have undoubtedly great cause to thank God, and take courage for the hopeful changes which have taken place in our condition, we are not without cause to mourn over the sad condition which we yet occupy. We are yet the most oppressed people in the world. In the Southern states of this Union, we are held as slaves. All over that wide region our paths are marked with blood. Our backs are yet scarred by the lash, and our souls are yet dark under the pall of slavery.--Our sisters are sold for purposes of pollution, and our brethren are sold in the market, with beasts of burden. Shut up in the prison-house of bondage--denied all rights, and deprived of all privileges, we are blotted from the page of human existence, and placed beyond the limits of human regard. Death, moral death, has palsied our souls in that quarter, and we are a murdered people.

In the Northern states, we are not slaves to individuals, not personal slaves, yet in many respects we are the slaves of the community. We are, however, far enough removed from the actual condition of the slave, to make us largely

responsible for their continued enslavement, or their speedy deliverance from chains. For in the proportion which we shall rise in the scale of human improvement, in that proportion do we augment the probabilities of a speedy emancipation of our enslaved fellow-countrymen. It is more than a mere figure of speech to say, that we are as a people, chained together. We are one people--one in general complexion, one in a common degradation, one in popular estimation. As one rises, all must rise, and as one falls all must fall. Having now, our feet on the rock of freedom, we must drag our brethren from the slimy depths of slavery, ignorance, and ruin. Every one of us should be ashamed to consider him-self free, while his brother is a slave.--The wrongs of our brethren, should be our constant theme. There should be no time too precious, no calling too holy, no place too sacred, to make room for this cause. We should not only feel it to be the cause of humanity, but the cause of christianity, and fit work for men and angels. We ask you to devote yourselves to this cause, as one of the first, and most successful means of self improvement. In the careful study of it, you will learn your own rights, and comprehend your own responsibilities, and, scan through the vista of coming time, your high, and God-appointed destiny. Many of the brightest and best of our number, have become such by their devotion to this cause, and the society of white abolitionists. The latter have been willing to make themselves of no reputation for our sake, and in return, let us show ourselves worthy of their zeal and devotion. Attend anti-slavery meetings, show that you are interested in the subject, that you hate slavery, and love those who are laboring for its overthrow.--Act with white Abolition societies wherever you can, and where you cannot, get up societies among yourselves, but without exclusiveness. It will be a long time before we gain all our rights; and although it may seem to conflict with our views of human brotherhood, we shall undoubtedly for many years be compelled to have institutions of a complexional character, in order to attain this very idea of human brotherhood. We would, however, advise our brethren to occupy memberships and stations among white persons, and in white institutions, just so fast as our rights are secured to us.

Never refuse to act with a white society or institution because it is white, or a black one, because it is black. But act with all men without distinction of color. By so acting, we shall find many opportunities for removing prejudices and establishing the rights of all men. We say avail yourselves of white institutions, not because they are white, but because they afford a more convenient means of improvement. But we pass from these suggestions, to others which may be deemed more important. In the Convention that now addresses you, there has been much said on the subject of labor, and especially those departments of it, with which we as a class have been long identified. You will see by the resolutions there adopted on that subject, that the Convention regarded those employments though right in themselves, as being nevertheless, degrading to us as a class, and therefore, counsel you to abandon them as speedily as possible, and to seek what are called the more respectable employments. While the Convention do not inculcate the doctrine that any kind of needful toil is in itself dishonorable, or that colored persons are to be exempt from what are called menial employments, they do mean to say that such employments have been so long and universally filled by colored men, as to become a badge of degradation, in that it has established the conviction that colored men are only fit for such employments. We therefore, advise you by all means, to cease from such employments, as far as practicable, by pressing into others. Try to get your sons into mechanical trades; press them into the blacksmith's shop, the machine shop, the joiner's shop, the wheelwright's shop, the cooper's shop, and the tailor's shop.

Every blow of the sledge hammer, wielded by a sable arm, is a powerful blow in support of our cause. Every colored mechanic, is by virtue of circumstances, an elevator of his race. Every house built by black men, is a strong tower against the allied hosts of prejudice. It is impossible for us to attach too much importance to this aspect of the subject. Trades are important. Wherever a man may be thrown by misfortune, if he has in his hands a useful trade, he is useful to his fellow man, and will be esteemed accordingly; and of all men in the world who need trades we are the most needy.

Understand this, that independence is an essential condition of respect-ability. To be dependent, is to be degraded. Men may indeed pity us, but they cannot respect us. We do not mean that we can become entirely independent of all men; that would be absurd and impossible, in the social state. But we mean that we must become equally independent with other members of the community. That other members of the community shall be as dependent upon us, as we upon them.--That such is not now the case, is too plain to need an argument. The houses we live in are built by white men--the clothes we wear are made by white tailors--the hats on our heads are made by white hatters, and the shoes on our feet are made by white shoe-makers, and the food that we eat, is raised and cultivated by white men. Now it is impossible that we should ever be respected as a people, while we are so universally and completely dependent upon white men for the necessaries of life. We must make white persons as dependent upon us, as we are upon them. This cannot be done while we are found only in two or three kinds of employments, and those employments have their foundation chiefly, if not entirely, in the pride and indolence of the white people.

Stern necessities, will bring higher respect.

The fact is, we must not merely make the white man dependent upon us to shave him but to feed him; not merely dependent upon us to black his boots, but to make them. A man is only in a small degree dependent on us when he only needs his boots blacked, or his carpet bag carried; as a little less pride, and a little more industry on his part, may enable him to dispense with our services entirely. As wise men it becomes us to look forward to a state of things, which appears inevitable. The time will come, when those menial employments will afford less means of living than they now do. What shall a large class of our fellow countrymen do, when white men find it economical to black their own boots, and shave them-selves. What will they do when white men learn to wait on themselves? We warn you brethren, to seek other and more enduring vocations.

Let us entreat you to turn your attention to agriculture. Go to farming. Be tillers of the soil. On this point we could say much, but the time and space will not permit. Our cities are overrun with menial laborers, while the country is eloquently pleading for the hand of industry to till her soil, and reap the reward of honest labor. We beg and intreat you, to save your money--live economically--dispense with finery, and the gaities which have rendered us proverbial, and save your money. Not for the senseless purpose of being better off than your neighbor, but that you may be able to educate your children, and render your share to the common stock of prosperity and happiness around you. It is plain that the equality which we aim to accomplish, can only be achieved by us, when we can do for others, just what others can do for us. We should therefore, press into all the trades, professions and callings, into which honorable white men press.

We would in this connection, direct your attention to the means by which we have been oppressed and degraded. Chief among those means, we may mention the press. This engine has brought to the aid of prejudice, a thousand stings. Wit, ridicule, false philosophy, and an impure theology, with a flood of low black-guardism, come through this channel into the public mind; constantly feeding and keeping alive against us, the bitterest hate. The pulpit too, has been arrayed against us. Men with sanctimonious face, have talked of our being descendants of Ham--that we are under a curse, and to try to improve our condition, is virtually to counteract the purposes of God!

It is easy to see that the means which have been used to destroy us, must be used to save us. The press must be used in our behalf: aye! we must use it ourselves; we must take and read newspapers; we must read books, improve our minds, and put to silence and to shame, our opposers.

<http://www.teachingamericanhistory.org/library/index.asp?document=768>

## Final Emancipation Proclamation

*Abraham Lincoln*

**January 1, 1863**

By the President of the United States of America:

A Proclamation.

Whereas, on the twentysecond day of September, in the year of our Lord one thousand eight hundred and sixty two, a proclamation was issued by the President of the United States, containing, among other things, the following, to wit:

"That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

"That the Executive will, on the first day of January aforesaid, by proclamation, designate the States and parts of States, if any, in which the people thereof, respectively, shall then be in rebellion against the United States; and the fact that any State, or the people thereof, shall on that day be, in good faith, represented in the Congress of the United States by members chosen thereto at elections wherein a majority of the qualified voters of such State shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State, and the people thereof, are not then in rebellion against the United States."

Now, therefore I, Abraham Lincoln, President of the United States, by virtue of the power in me vested as Commander-in-Chief, of the Army and Navy of the United States in time of actual armed rebellion against authority and government of the United States, and as a fit and necessary war measure for suppressing said rebellion, do, on this first day of January, in the year of our Lord one thousand eight hundred and sixty three, and in accordance with my purpose so to do publicly proclaimed for the full period of one hundred days, from the day first above mentioned, order and designate as the States and parts of States wherein the people thereof respectively, are this day in rebellion against the United States, the following, to wit:

Arkansas, Texas, Louisiana, (except the Parishes of St. Bernard, Plaquemines, Jefferson, St. Johns, St. Charles, St. James, Ascension, Assumption, Terrebonne, Lafourche, St. Mary, St. Martin, and Orleans, including the City of New-Orleans) Mississippi, Alabama, Florida, Georgia, South-Carolina, North-Carolina, and Virginia, (except the forty-eight counties designated as West Virginia, and also the counties of Berkley, Accomac, Northampton, Elizabeth-City, York, Princess Ann, and Norfolk, including the cities of Norfolk & Portsmouth); and which excepted parts are, for the present, left precisely as if this proclamation were not issued.

And by virtue of the power, and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated States, and parts of States, are, and henceforward shall be free; and that the Executive government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons.

And I hereby enjoin upon the people so declared to be free to abstain from all violence, unless in necessary self-defence; and I recommend to them that, in all cases when allowed, they labor faithfully for reasonable wages.

And I further declare and make known, that such persons of suitable condition, will be received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.

And upon this act, sincerely believed to be an act of justice, warranted by the Constitution, upon military necessity, I invoke the considerate judgment of mankind, and the gracious favor of Almighty God.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this first day of January, in the year of our Lord one thousand eight hundred and sixty three, and of the Independence of the United States of America the eighty-seventh.

[L.S.]

By the President: ABRAHAM LINCOLN  
WILLIAM H. SEWARD, Secretary of State.

<http://www.teachingamericanhistory.org/library/index.asp?document=33>

# Fugitive Slave Act of 1850

## Section 1

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the persons who have been, or may hereafter be, appointed commissioners, in virtue of any act of Congress, by the Circuit Courts of the United States, and Who, in consequence of such appointment, are authorized to exercise the powers that any justice of the peace, or other magistrate of any of the United States, may exercise in respect to offenders for any crime or offense against the United States, by arresting, imprisoning, or bailing the same under and by the virtue of the thirty-third section of the act of the twenty-fourth of September seventeen hundred and eighty-nine, entitled "An Act to establish the judicial courts of the United States" shall be, and are hereby, authorized and required to exercise and discharge all the powers and duties conferred by this act.

## Section 2

*And be it further enacted,* That the Superior Court of each organized Territory of the United States shall have the same power to appoint commissioners to take acknowledgments of bail and affidavits, and to take depositions of witnesses in civil causes, which is now possessed by the Circuit Court of the United States; and all commissioners who shall hereafter be appointed for such purposes by the Superior Court of any organized Territory of the United States, shall possess all the powers, and exercise all the duties, conferred by law upon the commissioners appointed by the Circuit Courts of the United States for similar purposes, and shall moreover exercise and discharge all the powers and duties conferred by this act.

## Section 3

*And be it further enacted,* That the Circuit Courts of the United States shall from time to time enlarge the number of the commissioners, with a view to afford reasonable facilities to reclaim fugitives from labor, and to the prompt discharge of the duties imposed by this act.

## Section 4

*And be it further enacted,* That the commissioners above named shall have concurrent jurisdiction with the judges of the Circuit and District Courts of the United States, in their respective circuits and districts within the several States, and the judges of the Superior Courts of the Territories, severally and collectively, in term-time and vacation; shall grant certificates to such claimants, upon satisfactory proof being made, with authority to take and remove such fugitives from service or labor, under the restrictions herein contained, to the State or Territory from which such persons may have escaped or fled.

## Section 5

*And be it further enacted,* That it shall be the duty of all marshals and deputy marshals to obey and execute all warrants and precepts issued under the provisions of this act, when to them directed; and should any marshal or deputy marshal refuse to receive such warrant, or other process, when tendered, or to use all proper means diligently to execute the same, he shall, on conviction thereof, be fined in the sum of one thousand dollars, to the use of such claimant, on the motion of such claimant, by the Circuit or District Court for the district of such marshal; and after arrest of such fugitive, by such marshal or his deputy, or whilst at any time in his custody under the provisions of this act, should such fugitive escape, whether with or without the assent of such marshal or his deputy, such marshal shall be liable, on his official bond, to be prosecuted for the benefit of such claimant, for the full value of the service or labor of said fugitive in the State, Territory, or District whence he escaped: and the better to enable the said commissioners, when thus appointed, to execute their duties faithfully and efficiently, in conformity with the requirements of the [Constitution of the United States](#) and of this act, they are hereby authorized and empowered, within their counties respectively, to appoint, in writing under their hands, any one or more suitable persons, from time to time, to execute all such warrants and other process as may be issued by them in the lawful performance of their respective duties; with authority to such commissioners, or the persons to be appointed by them, to execute process as aforesaid, to summon and call to their aid the bystanders, or posse comitatus of the proper county, when necessary to ensure a faithful observance of the clause of the Constitution referred to, in conformity with the provi-

sions of this act; and all good citizens are hereby commanded to aid and assist in the prompt and efficient execution of this law, whenever their services may be required, as aforesaid, for that purpose; and said warrants shall run, and be executed by said officers, any where in the State within which they are issued.

## **Section 6**

*And be it further enacted,* That when a person held to service or labor in any State or Territory of the United States, has heretofore or shall hereafter escape into another State or Territory of the United States, the person or persons to whom such service or labor may be due, or his, her, or their agent or attorney, duly authorized, by power of attorney, in writing, acknowledged and certified under the seal of some legal officer or court of the State or Territory in which the same may be executed, may pursue and reclaim such fugitive person, either by procuring a warrant from some one of the courts, judges, or commissioners aforesaid, of the proper circuit, district, or county, for the apprehension of such fugitive from service or labor, or by seizing and arresting such fugitive, where the same can be done without process, and by taking, or causing such person to be taken, forthwith before such court, judge, or commissioner, whose duty it shall be to hear and determine the case of such claimant in a summary manner; and upon satisfactory proof being made, by deposition or affidavit, in writing, to be taken and certified by such court, judge, or commissioner, or by other satisfactory testimony, duly taken and certified by some court, magistrate, justice of the peace, or other legal officer authorized to administer an oath and take depositions under the laws of the State or Territory from which such person owing service or labor may have escaped, with a certificate of such magistracy or other authority, as aforesaid, with the seal of the proper court or officer thereto attached, which seal shall be sufficient to establish the competency of the proof, and with proof, also by affidavit, of the identity of the person whose service or labor is claimed to be due as aforesaid, that the person so arrested does in fact owe service or labor to the person or persons claiming him or her, in the State or Territory from which such fugitive may have escaped as aforesaid, and that said person escaped, to make out and deliver to such claimant, his or her agent or attorney, a certificate setting forth the substantial facts as to the service or labor due from such fugitive to the claimant, and of his or her escape from the State or Territory in which he or she was arrested, with authority to such claimant, or his or her agent or attorney, to use such reasonable force and restraint as may be necessary, under the circumstances of the case, to take and remove such fugitive person back to the State or Territory whence he or she may have escaped as aforesaid. In no trial or hearing under this act shall the testimony of such alleged fugitive be admitted in evidence; and the certificates in this and the first [fourth] section mentioned, shall be conclusive of the right of the person or persons in whose favor granted, to remove such fugitive to the State or Territory from which he escaped, and shall prevent all molestation of such person or persons by any process issued by any court, judge, magistrate, or other person whomsoever.

## **Section 7**

*And be it further enacted,* That any person who shall knowingly and willingly obstruct, hinder, or prevent such claimant, his agent or attorney, or any person or persons lawfully assisting him, her, or them, from arresting such a fugitive from service or labor, either with or without process as aforesaid, or shall rescue, or attempt to rescue, such fugitive from service or labor, from the custody of such claimant, his or her agent or attorney, or other person or persons lawfully assisting as aforesaid, when so arrested, pursuant to the authority herein given and declared; or shall aid, abet, or assist such person so owing service or labor as aforesaid, directly or indirectly, to escape from such claimant, his agent or attorney, or other person or persons legally authorized as aforesaid; or shall harbor or conceal such fugitive, so as to prevent the discovery and arrest of such person, after notice or knowledge of the fact that such person was a fugitive from service or labor as aforesaid, shall, for either of said offences, be subject to a fine not exceeding one thousand dollars, and imprisonment not exceeding six months, by indictment and conviction before the District Court of the United States for the district in which such offence may have been committed, or before the proper court of criminal jurisdiction, if committed within any one of the organized Territories of the United States; and shall moreover forfeit and pay, by way of civil damages to the party injured by such illegal conduct, the sum of one thousand dollars for each fugitive so lost as aforesaid, to be recovered by action of debt, in any of the District or Territorial Courts aforesaid, within whose jurisdiction the said offence may have been committed.

## **Section 8**

*And be it further enacted,* That the marshals, their deputies, and the clerks of the said District and Territorial Courts, shall be paid, for their services, the like fees as may be allowed for similar services in other cases; and



where such services are rendered exclusively in the arrest, custody, and delivery of the fugitive to the claimant, his or her agent or attorney, or where such supposed fugitive may be discharged out of custody for the want of sufficient proof as aforesaid, then such fees are to be paid in whole by such claimant, his or her agent or attorney; and in all cases where the proceedings are before a commissioner, he shall be entitled to a fee of ten dollars in full for his services in each case, upon the delivery of the said certificate to the claimant, his agent or attorney; or a fee of five dollars in cases where the proof shall not, in the opinion of such commissioner, warrant such certificate and delivery, inclusive of all services incident to such arrest and examination, to be paid, in either case, by the claimant, his or her agent or attorney. The person or persons authorized to execute the process to be issued by such commissioner for the arrest and detention of fugitives from service or labor as aforesaid, shall also be entitled to a fee of five dollars each for each person he or they may arrest, and take before any commissioner as aforesaid, at the instance and request of such claimant, with such other fees as may be deemed reasonable by such commissioner for such other additional services as may be necessarily performed by him or them; such as attending at the examination, keeping the fugitive in custody, and providing him with food and lodging during his detention, and until the final determination of such commissioners; and, in general, for performing such other duties as may be required by such claimant, his or her attorney or agent, or commissioner in the premises, such fees to be made up in conformity with the fees usually charged by the officers of the courts of justice within the proper district or county, as near as may be practicable, and paid by such claimants, their agents or attorneys, whether such supposed fugitives from service or labor be ordered to be delivered to such claimant by the final determination of such commissioner or not.

## **Section 9**

*And be it further enacted*, That, upon affidavit made by the claimant of such fugitive, his agent or attorney, after such certificate has been issued, that he has reason to apprehend that such fugitive will be rescued by force from his or their possession before he can be taken beyond the limits of the State in which the arrest is made, it shall be the duty of the officer making the arrest to retain such fugitive in his custody, and to remove him to the State whence he fled, and there to deliver him to said claimant, his agent, or attorney. And to this end, the officer aforesaid is hereby authorized and required to employ so many persons as he may deem necessary to overcome such force, and to retain them in his service so long as circumstances may require. The said officer and his assistants, while so employed, to receive the same compensation, and to be allowed the same expenses, as are now allowed by law for transportation of criminals, to be certified by the judge of the district within which the arrest is made, and paid out of the treasury of the United States.

## **Section 10**

*And be it further enacted*, That when any person held to service or labor in any State or Territory, or in the District of Columbia, shall escape therefrom, the party to whom such service or labor shall be due, his, her, or their agent or attorney, may apply to any court of record therein, or judge thereof in vacation, and make satisfactory proof to such court, or judge in vacation, of the escape aforesaid, and that the person escaping owed service or labor to such party. Whereupon the court shall cause a record to be made of the matters so proved, and also a general description of the person so escaping, with such convenient certainty as may be; and a transcript of such record, authenticated by the attestation of the clerk and of the seal of the said court, being produced in any other State, Territory, or district in which the person so escaping may be found, and being exhibited to any judge, commissioner, or other officer, authorized by the law of the United States to cause persons escaping from service or labor to be [delivered up](#), shall be held and taken to be full and conclusive evidence of the fact of escape, and that the service or labor of the person escaping is due to the party in such record mentioned. And upon the production by the said party of other and further evidence if necessary, either oral or by affidavit, in addition to what is contained in the said record of the identity of the person escaping, he or she shall be delivered up to the claimant, And the said court, commissioner, judge, or other person authorized by this act to grant certificates to claimants or fugitives, shall, upon the production of the record and other evidences aforesaid, grant to such claimant a certificate of his right to take any such person identified and proved to be owing service or labor as aforesaid, which certificate shall authorize such claimant to seize or arrest and transport such person to the State or Territory from which he escaped: Provided, That nothing herein contained shall be construed as requiring the production of a transcript of such record as evidence as aforesaid. But in its absence the claim shall be heard and determined upon other satisfactory proofs, competent in law.

Approved, September 18, 1850.

[http://avalon.law.yale.edu/19th\\_century/fugitive.asp](http://avalon.law.yale.edu/19th_century/fugitive.asp)

## Manifest Destiny

*John L. O'Sullivan*

1839

The American people having derived their origin from many other nations, and the Declaration of National Independence being entirely based on the great principle of human equality, these facts demonstrate at once our disconnected position as regards any other nation; that we have, in reality, but little connection with the past history of any of them, and still less with all antiquity, its glories, or its crimes. On the contrary, our national birth was the beginning of a new history, the formation and progress of an untried political system, which separates us from the past and connects us with the future only; and so far as regards the entire development of the natural rights of man, in moral, political, and national life, we may confidently assume that our country is destined to be the great nation of futurity.

It is so destined, because the principle upon which a nation is organized fixes its destiny, and that of equality is perfect, is universal. It presides in all the operations of the physical world, and it is also the conscious law of the soul — the self-evident dictates of morality, which accurately defines the duty of man to man, and consequently man's rights as man. Besides, the truthful annals of any nation furnish abundant evidence, that its happiness, its greatness, its duration, were always proportionate to the democratic equality in its system of government. . . .

What friend of human liberty, civilization, and refinement, can cast his view over the past history of the monarchies and aristocracies of antiquity, and not deplore that they ever existed? What philanthropist can contemplate the oppressions, the cruelties, and injustice inflicted by them on the masses of mankind, and not turn with moral horror from the retrospect?

America is destined for better deeds. It is our unparalleled glory that we have no reminiscences of battle fields, but in defence of humanity, of the oppressed of all nations, of the rights of conscience, the rights of personal enfranchisement. Our annals describe no scenes of horrid carnage, where men were led on by hundreds of thousands to slay one another, dupes and victims to emperors, kings, nobles, demons in the human form called heroes. We have had patriots to defend our homes, our liberties, but no aspirants to crowns or thrones; nor have the American people ever suffered themselves to be led on by wicked ambition to depopulate the land, to spread desolation far and wide, that a human being might be placed on a seat of supremacy.

We have no interest in the scenes of antiquity, only as lessons of avoidance of nearly all their examples. The expansive future is our arena, and for our history. We are entering on its untrodden space, with the truths of God in our minds, beneficent objects in our hearts, and with a clear conscience unsullied by the past. We are the nation of human progress, and who will, what can, set limits to our onward march? Providence is with us, and no earthly power can. We point to the everlasting truth on the first page of our national declaration, and we proclaim to the millions of other lands, that "the gates of hell" — the powers of aristocracy and monarchy — "shall not prevail against it."

The far-reaching, the boundless future will be the era of American greatness. In its magnificent domain of space and time, the nation of many nations is destined to manifest to mankind the excellence of divine principles; to establish on earth the noblest temple ever dedicated to the worship of the Most High — the Sacred and the True. Its floor shall be a hemisphere — its roof the firmament of the star-studded heavens, and its congregation an Union of many Republics, comprising hundreds of happy millions, calling, owning no man master, but governed by God's natural and moral law of equality, the law of brotherhood — of "peace and good will amongst men." . . .

Yes, we are the nation of progress, of individual freedom, of universal enfranchisement. Equality of rights is the cynosure of our union of States, the grand exemplar of the correlative equality of individuals; and while truth sheds its effulgence, we cannot retrograde, without dissolving the one and subverting the other. We must onward to the fulfilment of our mission — to the entire development of the principle of our organization — freedom of conscience, freedom of person, freedom of trade and business pursuits, universality of freedom and equality. This is our high destiny, and in nature's eternal, inevitable decree of cause and effect we must accomplish it. All this will be our future history, to establish on earth the moral dignity and salvation of man — the immutable truth and beneficence of God. For this blessed mission to the nations of the world, which are shut out from the life-giving light of truth, has America been chosen; and her high example shall smite unto death the tyranny of kings, hierarchs, and oligarchs, and carry the glad tidings of peace and good will where myriads now endure an existence scarcely more enviable than that of beasts of the field. Who, then, can doubt that our country is destined to be *the great nation* of



futurity?

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## I Have a Dream Speech

*Martin Luther King, Jr.*

August 28, 1963

Washington, DC

[Print this Page](#)

I am happy to join with you today in what will go down in history as the greatest demonstration for freedom in the history of our nation.

Five score years ago, a great American, in whose symbolic shadow we stand, signed the Emancipation Proclamation. This momentous decree came as a great beacon light of hope to millions of Negro slaves, who had been seared in the flames of withering injustice. It came as a joyous daybreak to end the long night of captivity. But one hundred years later, we must face the tragic fact that the Negro is still not free. One hundred years later, the life of the Negro is still sadly crippled by the manacles of segregation and the chains of discrimination.

One hundred years later, the Negro lives on a lonely island of poverty in the midst of a vast ocean of material prosperity. One hundred years later, the Negro is still languishing in the corners of American society and finds himself an exile in his own land. So we have come here today to dramatize an appalling condition.

In a sense we have come to our nation's Capital to cash a check. When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir.

This note was a promise that all men would be guaranteed the inalienable rights of life, liberty, and the pursuit of happiness.

It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro a bad check, a check which has come back marked "insufficient funds."

But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. So we have come to cash this check, a check that will give us upon demand the riches of freedom and the security of justice.

We have also come to this hallowed spot to remind America of the fierce urgency of Now. This is no time to engage in the luxury of cooling off or to take the tranquilizing drug of gradualism.

Now is the time to make real the promises of democracy.

Now is the time to rise from the dark and desolate valley of segregation to the sunlit path of racial justice.

Now is the time to open the doors of opportunity to all God's children.

Now is the time to lift our nation from the quicksands of racial injustice to the solid rock of brotherhood.

It would be fatal for the nation to overlook the urgency of the moment and to underestimate the determination of the Negro. This sweltering summer of the Negro's legitimate discontent will not pass until there is an invigorating autumn of freedom and equality. Nineteen sixty-three is not an end but a beginning. Those who hope that the Negro needed to blow off steam and will now be content will have a rude awakening if the nation returns to business as usual.

There will be neither rest nor tranquility in America until the Negro is granted his citizenship rights. The whirlwinds of revolt will continue to shake the foundations of our nation until the bright day of justice emerges.

But there is something that I must say to my people who stand on the warm threshold which leads into the palace of justice. In the process of gaining our rightful place, we must not be guilty of wrong deeds. Let us not seek to satisfy our thirst for freedom by drinking from the cup of bitterness and hatred. We must forever conduct our struggle on the high plane of dignity and discipline. We must not allow our creative protest to degenerate into physical violence. Again and again we must rise to the majestic heights of meeting physical force with soul force. The marvelous new militancy which has engulfed the Negro community must not lead us to a distrust of all white people, for many of our white brothers, as evidenced by their presence here today, have come to realize that their destiny is tied up with our destiny and their freedom is inextricably bound to our freedom. We cannot walk alone.

And as we walk, we must make the pledge that we shall march ahead. We cannot turn back. There are those who are asking the devotees of civil rights, "When will you be satisfied?" We can never be satisfied as long as the Ne-

gro is the victim of the unspeakable horrors of police brutality. We can never be satisfied as long as our bodies, heavy with the fatigue of travel, cannot gain lodging in the motels of the highways and the hotels of the cities.

We cannot be satisfied as long as the Negro's basic mobility is from a smaller ghetto to a larger one.

We cannot be satisfied as long as a Negro in Mississippi cannot vote, and a Negro in New York believes he has nothing for which to vote.

No, no we are not satisfied and we will not be satisfied until justice rolls down like waters and righteousness like a mighty stream.

I am not unmindful that some of you have come here out of great trials and tribulations. Some of you have come fresh from narrow jail cells. Some of you have come from areas where your quest for freedom left you battered by storms of persecutions and staggered by the winds of police brutality. You have been the veterans of creative suffering. Continue to work with the faith that unearned suffering is redemptive.

Go back to Mississippi, go back to Alabama, go back to South Carolina, go back to Georgia, go back to Louisiana, go back to the slums and ghettos of our modern cities, knowing that somehow this situation can and will be changed.

Let us not wallow in the valley of despair. I say to you today, my friends, that in spite of the difficulties and frustrations of the moment, I still have a dream.

It is a dream deeply rooted in the American dream.

I have a dream that one day this nation will rise up and live out the true meaning of its creed. "We hold these truths to be self-evident that all men are created equal."

I have a dream that one day out on the red hills of Georgia the sons of former slaves and the sons of former slave-owners will be able to sit down together at the table of brotherhood.

I have a dream that one day even the state of Mississippi, a desert state sweltering with the heat and injustice of oppression, will be transformed into an oasis of freedom and justice.

I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.

I have a dream today.

I have a dream that one day the state of Alabama, whose governor's lips are presently dripping with the words of interposition and nullification, will be transformed into a situation where little black boys and black girls will be able to join hands with little white boys and white girls and walk together as sisters and brothers.

I have a dream today.

I have a dream that one day every valley shall be exalted, every hill and mountain shall be made low, the rough places will be made plains and the crooked places will be made straight and the glory of the Lord shall be revealed and all flesh shall see it together.

This is our hope. This is the faith with which I return to the South. With this faith we will be able to hew out of the mountain of despair a stone of hope.

With this faith we will be able to transform the jangling discords of our nation into a beautiful symphony of brotherhood.

With this faith we will be able to work together, to pray together, to struggle together, to go to jail together, to stand up for freedom together, knowing that we will be free one day.

This will be the day when all of God's children will be able to sing with new meaning "My country 'tis of thee, sweet land of liberty, of thee I sing. Land where my fathers died, land of the Pilgrim's pride, from every mountainside, let freedom ring!"

And if America is to be a great nation, this must become true. So let freedom ring from the prodigious hilltops of New Hampshire. Let freedom ring from the mighty mountains of New York.

Let freedom ring from the heightening Alleghenies of Pennsylvania.

Let freedom ring from the snow-capped Rockies of Colorado.

Let freedom ring from the curvaceous peaks of California.

But not only that, let freedom, ring from Stone Mountain of Georgia.

Let freedom ring from Lookout Mountain of Tennessee.

Let freedom ring from every hill and molehill of Mississippi. From every mountainside, let freedom ring.

When we let freedom ring, when we let it ring from every village and every hamlet, from every state and every

city, we will be able to speed up that day when all of God's children, black men and white men, Jews and Gentiles, Protestants and Catholics, will be able to join hands and sing in the words of the old Negro spiritual, "Free at

last, free at last. Thank God Almighty, we are free at last."

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# The Seneca Falls Declaration

## Elizabeth Cady Stanton

1848

### 1. Declaration of Sentiments

When, in the course of human events, it becomes necessary for one portion of the family of man to assume among the people of the earth a position different from that which they have hitherto occupied, but one 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 that impel them to such a course.

We hold these truths to be self-evident: that all men and women are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted, deriving their just powers from the consent of the governed. Whenever any form of government becomes destructive of these ends, it is the right of those who suffer from it to refuse allegiance to it, and to insist upon the institution of a new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments long established should not be changed for light and transient causes; and accordingly all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. 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 duty to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of the women under this government, and such is now the necessity which constrains them to demand the equal station to which they are entitled. The history of mankind is a history of repeated injuries and usurpations on the part of man toward woman, having in direct object the establishment of an absolute tyranny over her. To prove this, let facts be submitted to a candid world.

- He has never permitted her to exercise her inalienable right to the elective franchise.
- He has compelled her to submit to laws, in the formation of which she had no voice.
- He has withheld from her rights which are given to the most ignorant and degraded men—both natives and foreigners.
- Having deprived her of this first right of a citizen, the elective franchise, thereby leaving her without representation in the halls of legislation, he has oppressed her on all sides.
- He has made her, if married, in the eye of the law, civilly dead. He has taken from her all right in property, even to the wages she earns.
- He has made her, morally, an irresponsible being, as she can commit many crimes with impunity, provided they be done in the presence of her husband.
- In the covenant of marriage, she is compelled to promise obedience to her husband, he becoming, to all intents and purposes, her master, the law giving him power to deprive her of her liberty, and to administer chastisement.
- He has so framed the laws of divorce, as to what shall be the proper causes, and in case of separation, to whom the guardianship of the children shall be given, as to be wholly regardless of the happiness of women, the law, in all cases, going upon a false supposition of the supremacy of man, and giving all power into his hands.
- After depriving her of all rights as a married woman, if single, and the owner of property, he has taxed her to support a government which recognizes her only when her property can be made profitable to it.
- He has monopolized nearly all the profitable employments, and from those she is permitted to follow, she receives but a scanty remuneration. He closes against her all the avenues to wealth and distinction which he considers most honorable to himself. As a teacher of theology, medicine, or law, she is not known.
- He has denied her the facilities for obtaining a thorough education, all colleges being closed against her.

- He allows her in Church, as well as State, but a subordinate position, claiming Apostolic authority for her exclusion from the ministry, and, with some exceptions, from any public participation in the affairs of the Church.
- He has created a false public sentiment by giving to the world a different code of morals for men and women, by which moral delinquencies which exclude women from society, are not only tolerated, but deemed of little account in man.
- He has usurped the prerogative of Jehovah himself, claiming it as his right to assign for her a sphere of action, when that belongs to her conscience and to her God.

He has endeavored, in every way that he could, to destroy her confidence in her own powers, to lessen her self-respect and to make her willing to lead a dependent and abject life.

Now, in view of this entire disfranchisement of one-half the people of this country, their social and religious degradation, in view of the unjust laws above mentioned, and because women do feel themselves aggrieved, oppressed, and fraudulently deprived of their most sacred rights, we insist that they have immediate admission to all the rights and privileges which belong to them as citizens of the United States.

In entering upon the great work before us, we anticipate no small amount of misconception, misrepresentation, and ridicule; but we shall use every instrumentality within our power to effect our object. We shall employ agents, circulate tracts, petition the State and National legislatures, and endeavor to enlist the pulpit and the press in our behalf. We hope this Convention will be followed by a series of Conventions embracing every part of the country.

## 2. resolutions

WHEREAS, The great precept of nature is conceded to be, that "man shall pursue his own true and substantial happiness." [Blackstone](#) in his Commentaries remarks, that this law of Nature being coeval with mankind, and dictated by God himself, is of course superior in obligation to any other. It is binding over all the globe, in all countries and at all times; no human laws are of any validity if contrary to this. and such of them as are valid, derive all their force. and all their validity, and all their authority, mediately and immediately, from this original; therefore,

### Resolved,

That such laws as conflict, in any way with the true and substantial happiness of woman, are contrary to the great precept of nature and of no validity, for this is "superior in obligation to any other."

### Resolved,

That all laws which prevent woman from occupying such a station in society as her conscience shall dictate, or which place her in a position inferior to that of man, are contrary to the great precept of nature, and therefore of no force or authority.

### Resolved,

That woman is man's equal, was intended to be so by the Creator, and the highest good of the race demands that she should be recognized as such.

### Resolved,

That the women of this country ought to be enlightened in regard to the laws under which they live, that they may no longer publish their degradation by declaring themselves satisfied with their present position, nor their ignorance, by asserting that they have all the rights they want.

### Resolved.

That inasmuch as man, while claiming for himself intellectual superiority, does accord to woman moral superiority. it is pre-eminently his duty to encourage her to speak and teach. as she has an opportunity, in all religious assemblies.

### Resolved,

That the same amount of virtue, delicacy, and refinement of behavior that is required of woman in the social state, should also be required of man, and the same transgressions should be visited with equal severity on both man and woman.

### Resolved,

That the objection of indelicacy and impropriety, which is so often brought against woman when she addresses a public audience, comes with a very ill-grace from those who encourage, by their attendance, her appearance on the stage, in the concert. Or in feats of the circus.

### Resolved,

That woman has too long rested satisfied in the circumscribed limits which corrupt customs and a perverted application of the Scriptures have marked out for her, and that it is time she should move in the enlarged sphere which her great Creator has assigned her.

**Resolved,**

That it is the duty of the women of this country to secure to themselves their sacred right to the elective franchise.

**Resolved,**

That the equality of human rights results necessarily from the fact of the identity of the race in capabilities and responsibilities.

**Resolved, therefore.**

That, being invested by the creator with the same capabilities, and the same consciousness of responsibility for their exercise, it is demonstrably the right and duty of woman, equally with man, to promote every righteous cause by every righteous means; and especially in regard to the great subjects of morals and religion, it is self-evidently her right to participate with her brother in teaching them, both in private and in public, by writing and by speaking. by any instrumentalities proper to be used. and in any assemblies proper to be held; and this being a self evident truth growing out of the divinely implanted principles of human nature, any custom or authority adverse to it, whether modern or wearing the hoary sanction of antiquity, is to be regarded as a self- evident falsehood, and at war with mankind.

**Resolved,**

That the speedy success of our cause depends upon the zealous and untiring efforts of both men and women, for the overthrow of the monopoly of the pulpit. and for the securing to women an equal participation with men in the various trades. professions. and

<http://www.let.rug.nl/usa/D/1826-1850/women/seneca.htm>