

IN HIS OWN WORDS: GEORGE MASON ON LIBERTY

The Virginia Declaration of Rights

The Virginia Declaration of Rights, which was drafted by George Mason, was adopted unanimously on June 12, 1776, by the Virginia Convention of Delegates. The sixteen clauses in the Virginia Declaration of Rights are shown below.

Directions:

1. Working in a group, paraphrase the clause assigned to your group in one or two sentences. Be sure to refer to the vocabulary words and their definitions below the clause for better understanding.
2. Match each clause with similar sections in the first two paragraphs of the Declaration of Independence, the U.S. Constitution, and/or the first ten amendments to the U.S. Constitution. Note that sections of these documents may match more than one clause. In some cases, there may not be an appropriate match.

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.

Vocabulary:

inherent = natural

deprive/divest = take away from

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.

Vocabulary:

vested = placed in

magistrates = government officials

amenable = answerable

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 [has] an indubitable, unalienable, and indefeasible right to reform, alter or abolish it, in such manner as shall be judged most conducive to the public weal.

Vocabulary:

maladministration = poor operation

indubitable = undoubted

unalienable/indefeasible = not capable of being taken away/undone

public weal = general good

4

That no man, or set of men, are entitled to exclusive or separate emoluments or privileges from the community, but in consideration of public services; which, not being descendible, neither ought the offices of magistrate, legislator, or judge be hereditary.

Vocabulary:

emoluments = payments for holding an office

descendible/hereditary = passed from one generation to the next

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.

Vocabulary:

oppression = tyranny, misrule

eligible = qualified

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 public uses without their own consent or that of their representatives so elected, nor bound by any law to which they have not, in like manner, assented, for the public good.

Vocabulary:

suffrage = the ability to vote

assented = agreed to

 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.

Vocabulary:

injurious = harmful

exercised = carried out

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 favor, and to a speedy trial by an impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty, nor can he be compelled to give evidence against himself; that no man be deprived of his liberty except by the law of the land or the judgement of his peers.

Vocabulary:

capital = punishable by death (crime)

vicinage = vicinity

unanimous = having the agreement and consent of all

peers = people of the same social rank

9

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

Vocabulary:

excessive = extreme/too much

inflicted = imposed

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 offense is not particularly described and supported by evidence, are grievous and oppressive and ought not to be granted.

Vocabulary:

grievous = serious

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 greatest bulwarks of liberty and can never be restrained but by despotic governments.

Vocabulary:

bulwarks = defenses

despotic = tyrannical, cruel

13

That a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defense of a free state; that standing [permanent] 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 be governed by, the civil power.

Vocabulary:

regulated = organized

subordination = subservience

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.

Vocabulary:

uniform = consistent

15

That no free government, or the blessings 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.

Vocabulary:

adherence = devotion

temperance = moderation

frugality = care in spending money

recurrence = repetition

fundamental = basic

16

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

Vocabulary:

discharging = fulfilling

dictates = orders

forbearance = patience

Source: "The Virginia Declaration of Rights." The Avalon Project at Yale University Law School.
<<http://www.yale.edu/lawweb/avalon/virginia.htm>>.

STUDENT ANSWER BANK

You may use this answer bank with **Handout C**. The following is a list of specific paragraphs, clauses, and amendments that are similar to the clauses in the Virginia Declaration of Rights. Match your assigned clause to the documents below.

- Declaration of Independence (Paragraphs 1 and 2)
- The Constitution: Articles I, II, III, and IV
- The Constitution: Article I, Section 2, Clause 1
- The Constitution: Article I, Section 9, Clause 2
- The Constitution: Article I, Section 9, Clause 8
- The Constitution: Article II, Section 2, Clause 1
- The Constitution: Article II, Section 3
- The Constitution: Article IV, Section 3
- First Amendment
- Second Amendment
- Fourth Amendment
- Fifth Amendment
- Sixth Amendment
- Seventh Amendment
- Eighth Amendment