ORGANIZING TOPIC

Origins and Foundations of American Government

Standard(s) of Learning

GOVT.2 The student will demonstrate knowledge of the political philosophies that shaped the development of Virginia and United States constitutional government by
a) describing the development of Athenian democracy and the Roman republic;
b) explaining the influence of the Magna Carta, the English Petition of Rights, and the English Bill of Rights;
c) examining the writings of Hobbes, Locke, and Montesquieu;
d) explaining the guarantee of the “rights of Englishmen” set forth in the charters of the Virginia Company of London;
e) analyzing the natural rights philosophies expressed in the Declaration of Independence;
f) examining George Mason’s Virginia Declaration of Rights, Thomas Jefferson’s Virginia Statute for Religious Freedom, and James Madison’s leadership role in securing adoption of the Bill of Rights by the First Congress.

Essential Understandings, Knowledge, and Skills

Content

Explain how the United States constitutional system of government incorporates democratic elements that were developed in Athens and Rome:
• Athens: Direct democracy
• Rome: Indirect (representative) democracy, republic

Explain how the United States constitutional system of government incorporated ideas from the Magna Carta, the English Petition of Rights, and the English Bill of Rights:
• Magna Carta
  ◦ Limited power of government
  ◦ Fundamental rights:
    Trial by jury
    Due process of law
• English Petition of Rights
  ◦ Early document supporting the idea that men have rights and establishing concept of rule of law
  ◦ Included basic rights:
    Guarantee of trial by jury
    Protection against martial law
    Protection against quartering of troops
    Protection of private property
English Bill of Rights
• Limited power of the monarch
• Guarantee of no standing army in peacetime
• Guarantee of free elections
• Guarantee of right of petition
• Parliamentary checks on power

Explain the principles of government and law developed by leading European political thinkers Thomas Hobbes, John Locke, and Montesquieu that may be found in the Constitution of Virginia, the Declaration of Independence, and the Constitution of the United States:
• Limited government: John Locke (Constitution of Virginia, Constitution of the United States, Declaration of Independence)
• Government’s authority coming only from the consent of the governed: Thomas Hobbes, John Locke (Declaration of Independence, Constitution of the United States)
• Separation of powers: Montesquieu (Constitution of the United States, Constitution of Virginia)

Explain that the charters of the Virginia Company of London extended the “rights of Englishmen” to the colonists.

Summarize the natural rights philosophies of John Locke and Jean-Jacques Rousseau expressed in the Declaration of Independence:
• Rousseau believed that all men are equal.
• Locke believed that government is based on an agreement between people and their rulers (“social contract”). He felt that people have the right to life, liberty, and property.

Explain how Virginians played key roles in securing individual liberties through adoption of the Bill of Rights by the First Congress:
• George Mason wrote the Virginia Declaration of Rights, which;
  ◦ states that all Virginians should have certain rights, including freedom of religion and freedom of the press
  ◦ is the basis for the Bill of Rights of the Constitution of the United States.
• Thomas Jefferson wrote the Virginia Statute for Religious Freedom, which;
  ◦ states that all people should be free to worship as they please
  ◦ was the first time religious freedom was protected by law
  ◦ is the basis for the First Amendment to the Constitution of the United States, which guarantees religious freedom.
• James Madison, “Father of the Constitution’;
  ◦ kept detailed notes during the Constitutional Convention
  ◦ engineered compromises on the most difficult issues facing the delegates
  ◦ authored the “Virginia Plan,” which proposed a federal government of three separate branches (legislative, executive, and judicial) and became the foundation for the structure of the new government
  ◦ authored much of the Bill of Rights.

Sample Resources

Below is an annotated list of Internet resources for this organizing topic. Copyright restrictions may exist for the material on some Web sites. Please note and abide by any such restrictions.

The Avalon Project Documents in Law, History and Diplomacy: Ancient, Medieval and Renaissance Documents. Yale Law School. http://avalon.law.yale.edu/subject_menus/medmenu.asp. This site provides a plain-text copy of the Magna Carta, along with definitions of legal or old English terms.


George Mason: Timelines. Gunston Hall. http://gunstonhall.org/georgemason/timeline.html#convention. This site gives three different timelines for George Mason as well as quotations.


James Madison’s Montpelier. The Montpelier Foundation. http://www.montpelier.org/. This site provides information on James Madison and his work throughout the Constitutional period.


“Lesson Plans.” Youth Leadership Initiative. http://www.youthleadership.net/learning-programs/lesson-plans/. This site, supported by The University of Virginia Center for Politics, is an excellent resource for a variety of governmental topics. There are lessons devoted to political philosophers, such as Blackstone, Hobbes, Locke, Montesquieu, and Rousseau, who influenced the Founding Fathers. The downloadable lessons include pictures that help to explain the various philosophies. The site requires teacher registration to gain access to the material, but it is free of charge.


“Magna Carta.” http://www.fordham.edu/halsall/source/magnacarta.txt. This site provides a translation of the Magna Carta.


The University of Oklahoma College of Law. This site contains the texts of the three charters granted to the Virginia Company of London:


Emphasize that the Founding Fathers drew on much existing philosophical thought about democracy and many historical models of democratic laws—i.e., they did not invent the American democratic republic from scratch.

The following Web sites may be helpful for locating information on the philosophies of Locke, Hobbes, and Montesquieu in fundamental documents of American government:

- “John Locke,” “Thomas Hobbes,” and “Baron de Montesquieu.” [Youth Leadership Initiative.](http://www.youthleadership.net/?go_main=true)

The Charters of the Virginia Company of London


Have students read the article “The Virginia Company of London” found on the National Park Service’s Web site at [http://www.nps.gov/jame/historyculture/the-virginia-company-of-london.htm](http://www.nps.gov/jame/historyculture/the-virginia-company-of-london.htm). Alternatively, distribute copies of this article. Hold a class discussion on how the charters of the Virginia Company of London extended the “rights of Englishmen” to the colonists.


This is a way for students to understand that names they may see on a daily basis are found in these early charters of the founding of Virginia. Have students construct a chart of the different types of occupations and their numbers that are included in the lists of the second and third charters.

Attachment A: Roots of the Constitutional Government of the United States

I. Contributions of Ancient Civilizations
   A. Athens: Direct democracy
   B. Rome: Indirect (representative) democracy, republic

II. Contributions of English Heritage
   A. Magna Carta
      1. Limited governmental power
      2. Fundamental rights
         a. Trial by jury
b. Due process of law

B. English Petition of Rights
1. Rule of law
2. Basic rights
   a. Trial by jury
   b. Private property
   c. Protection against martial law
   d. Protection against quartering of troops

C. English Bill of Rights
1. Limited power of the monarch
2. Guarantee of no standing army in peacetime
3. Guarantee of free elections
4. Guarantee of right of petition
5. Parliamentary checks on power

D. Charters of the Virginia Company of London
1. Basic “rights of Englishmen” guaranteed to colonists

III. Contributions of European and American Political Thinkers
A. Limited government
   1. From John Locke
   2. Reflected in Virginia Constitution, Constitution of the United States, Declaration of Independence

B. Governmental authority deriving only from the consent of the governed
   1. From John Locke, Thomas Hobbes
   2. Reflected in Declaration of Independence, Constitution of the United States

C. Separation of powers
   1. From Montesquieu, James Madison
   2. Reflected in Constitution of the United States, Virginia Constitution

IV. Contributions of Natural Rights Philosophers
A. All men are equal
   1. From Jean-Jacques Rousseau
   2. Reflected in Declaration of Independence

B. Government based on agreement between people and their rulers (“social contract”)
   1. From John Locke, Thomas Jefferson
   2. Reflected in Declaration of Independence

C. Right to life, liberty, and property
   1. From John Locke, Thomas Jefferson (changed “property” to “pursuit of happiness”)
   2. Reflected in Declaration of Independence
**Attachment B: Sample Assessment Items**

* Asterisk (*) indicates correct answer.

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<table>
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<tbody>
<tr>
<td><strong>1.</strong> The United States acquired which concept from ancient Athens?</td>
<td><strong>7.</strong> The charters of the Virginia Company of London</td>
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<tr>
<td>A  Trial by jury</td>
<td>A  extended basic rights of Englishmen to American colonists.*</td>
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<td>B  Protection of private property</td>
<td>B  applied to all colonists living in the New England colonies.</td>
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<tr>
<td>C  Direct democracy*</td>
<td>C  extended basic rights to Englishmen living in land held by France.</td>
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<tr>
<td>D  Due process of law</td>
<td>D  applied to American Indians.</td>
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<tr>
<th><strong>2.</strong> Which document includes the guarantee of the right of petition?</th>
<th><strong>8.</strong> Montesquieu proposed which concept of government in his writings?</th>
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<tbody>
<tr>
<td>A  Magna Carta</td>
<td>A  All men are created equal.</td>
</tr>
<tr>
<td>B  English Bill of Rights*</td>
<td>B  Free elections</td>
</tr>
<tr>
<td>C  Declaration of Independence</td>
<td>C  Limited government</td>
</tr>
<tr>
<td>D  English Petition of Rights</td>
<td>D  Separation of powers*</td>
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<tr>
<th><strong>3.</strong> Which philosopher is known for his belief that people have the right to life, liberty, and property?</th>
<th><strong>9.</strong> Who believed man’s unalienable rights were life, liberty, and the pursuit of happiness?</th>
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<tr>
<td>A  Montesquieu</td>
<td>A  Montesquieu</td>
</tr>
<tr>
<td>B  Hobbes</td>
<td>B  Locke</td>
</tr>
<tr>
<td>C  Rousseau</td>
<td>C  Rousseau</td>
</tr>
<tr>
<td>D  Locke*</td>
<td>D  Jefferson*</td>
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<th><strong>4.</strong> John Locke’s philosophy includes the belief that</th>
<th><strong>10.</strong> The list above BEST describes which American leader?</th>
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<tr>
<td>A  the purpose of government is to protect the rights of its citizens.*</td>
<td>A  James Madison*</td>
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<tr>
<td>B  individuals are born with a duty to obey laws.</td>
<td>B  Thomas Jefferson</td>
</tr>
<tr>
<td>C  people are fundamentally unable to change government.</td>
<td>C  John Locke</td>
</tr>
<tr>
<td>D  kings rule by divine right.</td>
<td>D  George Mason</td>
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- Kept notes during Constitutional Convention
- Known for engineering compromises
- Authored “Virginia Plan”

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<th><strong>5.</strong> The King of England granted charters to</th>
<th><strong>6.</strong> The Virginia Declaration of Rights</th>
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<tr>
<td>A  The Virginia Company of London.*</td>
<td>A  was a first draft for the Declaration of Independence.</td>
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<td>B  The Hudson Bay Company.</td>
<td>B  is part of the Constitution of the United States.</td>
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<td>C  John Smith.</td>
<td>C  is modeled after the Charters of Virginia.</td>
</tr>
<tr>
<td>D  Christopher Columbus.</td>
<td>D  served as a model for the Bill of Rights.*</td>
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